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### Publication Date

2014

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UNIVERSITY OF CALIFORNIA  
RIVERSIDE

Charles I and the Spanish Plot:  
Anglo-Habsburg Relations and the Outbreak of the War of Three Kingdoms, 1630-1641

A Dissertation submitted in partial satisfaction  
of the requirements for the degree of

Doctor of Philosophy

in

History

by

Patrick Ignacio O'Neill

March 2014

Dissertation Committee:

Dr. Thomas Cogswell, Chairperson

Dr. Randolph Head

Dr. Georg Michels

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The Dissertation of Patrick Ignacio O'Neill is approved:

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Committee Chairperson

University of California, Riverside

## ACKNOWLEDGMENTS

Bertolt Brecht posed the question, “Young Alexander conquered India./ He alone?” Like any great human endeavor, this dissertation is not the product of one person’s solitary labors, but owes much to the efforts of a great number of individuals and organizations who have continually made straight my paths through graduate school, through archival research, and through the drafting process.

First and foremost, I would like to thank my dissertation chair, Dr. Thomas Cogswell, for his excellent guidance throughout my years at the University of California, Riverside. When I arrived as a first-year graduate student, I had very little certainty of what I wanted to do in the field of Early Modern Britain, and I felt more than a bit overwhelmed at the well-trod historiographical world I had just entered. Dr. Cogswell quickly took me under his wing and steered me gently through a research path that helped me find my current project, and he subsequently took a great interest in following my progress through research and writing. I salute his heroic readings and re-readings of drafts of chapters, conference papers, and proposals, and his perennial willingness to have a good chat over a cup of coffee and to help dispel the many frustrations that come from dissertation writing. To say that I could not have succeeded without his help would be a trite commonplace, but it would also be accurate.

Additionally, I would like to thank the other faculty members of UC Riverside who have provided me with guidance and moral support over the years, particularly the other members of my dissertation committee, Dr. Randolph Head and Dr. Georg Michels. I would also like to thank Dr. Robert Patch, who supervised my secondary field work in

Colonial Latin America, for many enlightening conversations on the early modern Hispanic world. Of a different sort of assistance, but no less vital, I offer my heartfelt thanks for the gracious and efficient support given by the departmental staff, especially Susan Komura, Deisy Escobedo, and Iselda Salgado, whose expertise and flexibility kept paperwork and bureaucratic procedure from ever becoming an obstacle to progress in my research and writing.

A dissertation is only as good as the research that went into it, and my successes in the archives were entirely attributable to the support I received from Dr. Emile Boulpaep and Marie-Claude Hayoit of the Belgian American Educational Foundation. Spending a year in Belgium was a fabulous opportunity and allowed me to peruse a wide variety of sources and to learn much, even outside my dissertation topic. I also thank the Scholarship Foundation of Santa Barbara, the Burnand-Partridge Foundation, and UC Riverside's Center for Ideas and Society for similarly supporting my research in Spain. I thank the staff at the Archives Générales du Royaume in Brussels for their courteous assistance in providing me access to archival materials. I likewise thank the staff at the Archivo General de Simancas for being of good humor in the face of my poor spoken Spanish and for nevertheless going out of their way to help me in any way they could.

Finally, I would like to thank my family, whose confidence in my abilities and loving encouragement have always driven me to excel. Most especially, I want to offer my sincerest thanks and love to my wife Lena and our new son Philip, for suffering with me through the long labor of writing and re-writing and for always providing me with the hope and motivation to press onward.

## DEDICATION

In memory of Ignacio Flores Ortiz, my grandfather,  
whose love of learning and zeal for self-edification  
were constant inspirations to his children and grandchildren.

## ABSTRACT OF THE DISSERTATION

Charles I and the Spanish Plot:  
Anglo-Habsburg Relations and the Outbreak of the War of Three Kingdoms, 1630-1641

by

Patrick Ignacio O'Neill

Doctor of Philosophy, Graduate Program in History  
University of California, Riverside, March 2014  
Dr. Thomas Cogswell, Chairperson

This dissertation focuses on Anglo-Habsburg relations during the personal rule of Charles I until the outbreak of the Civil War. Making extensive use of Continental European archival materials in addition to British sources, the dissertation examines the major issues in Anglo-Spanish and Anglo-Flemish politics. These include naval security in the English Channel, the negotiations for the restoration of the Lower Palatinate, the recruitment of English and Irish soldiers to serve in Spanish armies, and the hopes of the Count-Duke of Olivares to persuade England to join a Habsburg alliance against France and Holland in the Thirty Years War. These negotiations floundered throughout the decade because of Charles's unwillingness to antagonize the English population with an unpopular war and his inability to wage war without Parliament. Additionally, the Spaniards were severely hampered by their occupation of the Palatinate, which Charles demanded they restore, but which they would not relinquish without first gaining the English alliance. In 1640, Charles was faced with an uncontrollable rebellion in Scotland and could no longer afford to dismiss Spanish overtures or insist on the Palatinate restoration. Badly in need of funds, he was reluctant to summon Parliament for fear it



would be determined to limit his power and exert control over policy. At this moment, Spanish ambassadors offered Charles a sizeable sum of money in exchange for the assistance of the English navy and recruiting privileges in Ireland. Such an agreement would have allowed Charles to raise another army without recourse to Parliament and could have completely altered the history of the Civil Wars, or even precluded them entirely. With record speed, the Spanish ambassadors and English ministers produced the necessary treaty. Their plans, however, were defeated by the distance and slow communications between Madrid and London which critically delayed the confirmation of the treaty and the raising of the agreed funds. By the time the money arrived, events in England had already moved beyond Charles's control. Nevertheless, this episode represents a major potential turning point in the history of the Civil Wars and a perfect demonstration of the importance of integrating British and European history.

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## **Introduction: The “Anglo-Spanish Moment”: A case for a European turn in British History**

Prior to the last quarter of the twentieth century, “British” history was still quite unabashedly “English” history. While there were communities of scholars researching topics in Scottish, Irish, and Welsh materials, there was little occasion and also little desire that these should intersect with the much larger academic world of English history. The great issues of the Tudor and Stuart eras were treated as essentially English problems that must necessarily have English solutions. The seminal moment for change arrived in 1975 with J. G. A. Pocock’s article, “British History: a plea for a new subject,” which argued that as an archipelago, the British Isles could not be arbitrarily separated into their constituent cultures, but must be treated as an interwoven and integrated whole. Pocock believed this approach to be especially necessary after 1603, once the three kingdoms of England, Scotland, and Ireland shared a common monarch.<sup>1</sup> Conrad Russell also seconded Pocock’s call and he subsequently published the first major “British” account of the English crisis of 1640-1642, which attempted to integrate the preceding revolt in Scotland and concurrent rebellion in Ireland into the history of the breakdown of royal

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<sup>1</sup> J. G. A. Pocock, “British History: a plea for a new subject,” *Journal of Modern History*, 47, (1975), pp.601-628. See also the later crystallization of the same thoughts in: Pocock, “The Limits and Divisions of British History: in Search of the Unknown Subject,” *American Historical Review*, 87, (1982), pp.311-336. Pocock, “The Atlantic Archipelago and the War of the Three Kingdoms,” Bradshaw and Morrill, Eds. *The British Problem, c.1534-1707*, pp.172-191.

authority.<sup>2</sup> Throughout the 1990s and 2000s, the field changed dramatically and an effusion of articles and books showcased the many points of intersection and interdependence in the histories of the three Stuart kingdoms, not only in the context of the Civil Wars but also in the more peaceful years of the early seventeenth century.<sup>3</sup> The fields of Scottish and Irish history have particularly benefited from this shift, as both are incorporated into the expanded, mainstream narrative of the “three kingdoms” approach. Given the longer connections between Ireland and England, many recent works attempt to demonstrate the degree to which Ireland and England existed as two parts of a larger whole, discussing common problems and sharing common experiences.<sup>4</sup> Historians of Scotland have also successfully employed the new approach, demonstrating that Scotland, while jealous of its own distinct national tradition, was nonetheless closely

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<sup>2</sup> Conrad Russell, *The Causes of the English Civil War: The Ford Lectures delivered in the University of Oxford, 1987-1988*, (Oxford, 1990). Conrad Russell, *The Fall of the British Monarchies, 1637-1642*, (Oxford, 1991).

<sup>3</sup> The relevant titles are many, but useful examples, especially with regard to the causes and conduct of the Civil Wars, are: Ronald Asch, Ed. *Three Nations—a Common History?: England, Scotland, Ireland, and British History, c.1600-1920*, (Bochum, 1993). M. J. Braddick, *The Experience of Revolution in Stuart Britain and Ireland*, (Cambridge, 2011). Brendan Bradshaw and John Morrill, Eds., *The British Problem, c.1534-1707: State Formation in the Atlantic Archipelago*, (New York, 1996). Mark Fissel, Ed., *War and Government in Britain, 1598-1650*, (Manchester, 1991). Anthony Fletcher and Peter Roberts, Eds., *Religion Culture and Society in Early Modern Britain: essays in honour of Patrick Collinson*, (Cambridge, 1994). Allan MacInnes, *The British Revolution, 1629-1660*, (New York, 2005). John Morrill, *The Nature of the English Revolution*, (London, 1993).

<sup>4</sup> Robert Armstrong, *Protestant War: the ‘British’ of Ireland and the Wars of the Three Kingdoms*, (Manchester, 2005). John McCafferty, *The Reconstruction of the Church of Ireland: Bishop Bramhall and the Laudian Reforms, 1633-1641*, (Cambridge, 2011). Darren McGettigan, *Red Hugh O’Donnell and the Nine Years War*, (Dublin, 2005). Jane Ohlmeyer, *Civil War and Restoration in the Three Stuart Kingdoms: the career of Randal MacDonnell, marquis of Antrim, 1609-1683*, (Cambridge, 1993). Jane Ohlmeyer, *Making Ireland English: the Irish Aristocracy in the Seventeenth Century*, (New Haven, 2012). Michael O Siochru, Ed. *Kingdoms in Crisis: Ireland in the 1640s*, (Dublin, 2001). William Palmer, *The Problem of Ireland in Tudor Foreign Policy*, (Woodbridge, 1994). M. Perceval-Maxwell, *The Outbreak of the Irish Rebellion of 1641*, (Montreal, 1994). Victor Treadwell, *Buckingham and Ireland, 1616-1628: a study in Anglo-Irish Politics*, (Dublin, 1998).

involved in the politics of Whitehall.<sup>5</sup> The end result has been, as Pocock desired, a recognition that “British history denotes the historiography of no single nation but of a problematic and uncompleted experiment in the creation and interaction of several nations.”<sup>6</sup>

Looking back upon nearly thirty years of scholarly engagement with the “British problem,” it seems that the time is ripe to progress further. The initial opening of the floodgates brought up a host of new solutions to old questions through use of novel sources. Nevertheless, the expansions of the boundaries of British history to embrace the entire archipelago must eventually beg the question of why historians should stop at the Channel. Just as the “British problem” required historians to remember and account for the fact that England did not exist in a vacuum, but was bound to its neighbors by shared historical experiences and common political and religious institutions, it is equally important for historians of Britain to remember that British history cannot be hermetically separated from the common experience of the wider European world. As early as 1975, the same time when Pocock was articulating the need for British history, European historian H. G. Koenigsberger remarked that events like the English Civil Wars could not be understood “in a purely English context...Great Britain was part of the European state

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<sup>5</sup> Keith Brown, *Kingdom or Province?: Scotland and the Regnal Union, 1603-1715*, (New York, 1992). Peter Donald, *An Uncounselled King: Charles I and the Scottish troubles, 1637-1641*, (Cambridge, 1990). Mark Fissel, *The Bishops' Wars: Charles I's campaigns against Scotland, 1638-1640*, (Cambridge, 1994). Allan Macinnes and Jane Ohlmeyer, Eds., *The Stuart Kingdoms and the Seventeenth Century: Awkward Neighbours*, (Dublin, 2002). Roger A. Mason, Ed. *Scots and Britons: Scottish Political Thought and the Union of 1603*, (Cambridge, 1994). David Smith, *A History of the Modern British Isles, 1603-1707: the Double Crown*, (Oxford, 1998).

<sup>6</sup> Pocock, “Limits and Divisions of British History,” p.318.

system and subject to foreign intervention in spite of the Channel and North Sea.”<sup>7</sup> Unsurprisingly, many of the calls to bring British history into contact with Europe have come from scholars of the Continent, including J. H. Elliott, Jonathan Israel, and Geoffrey Parker.<sup>8</sup> Parker in particular lamented the fact that most British historians seeking to add a “European” element to their research focused primarily on cultural interactions of English elites with their counterparts in the court of France. Parker knew, however, that a wealth of new historical sources waited to be tapped in the archives of Spain, Austria, Germany, Belgium, and the Netherlands, which had far greater relevance to the general population and political concerns of England in the seventeenth century. In isolation from these sources, British history could never be fully stripped of its insular blinders.<sup>9</sup>

Concurrent with these calls for a Europeanized British historiography, there have been some notable attempts by scholars to examine some of the key problems of Tudor and Stuart history within the framework of the larger and more general trends of European history in the seventeenth century.<sup>10</sup> Nevertheless, the fact that such works

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<sup>7</sup> H. G. Koenigsberger, “Monarchies and Parliaments in Early Modern Europe: *Dominium regale* or *dominium politicum et regale*,” *Theory and Society*, 5, (1978), p.211.

<sup>8</sup> Jonathan Israel, “General Introduction,” Israel, Ed. *The Anglo-Dutch Moment: Essays on the Glorious Revolution and its World Impact*, pp.1-44. J. H. Elliott, *National and Comparative History: an Inaugural lecture delivered before the University of Oxford on 10 May 1991*, (Oxford, 1991). Geoffrey Parker, “The World Beyond Whitehall: British historiography and European archives,” R. Smuts, Ed., *The Stuart Court in Europe*, pp.274-282.

<sup>9</sup> Parker, “World Beyond Whitehall,” p.275.

<sup>10</sup> J. H. Elliott, *Empires of the Atlantic World: Britain and Spain in America, 1492-1830*, (New Haven, 2006). John Reeve, “The Politics of War Finance in an Age of Confessional Strife: a comparative Anglo-European View,” *Parergon*, 14, (1996), pp.85-109. Jonathan Scott, *England’s Troubles: Seventeenth Century English political instability in European context*, (Cambridge, 2000). R. Smuts, Ed., *The Stuart Court in Europe: Essays in Politics and Political Culture*, (Cambridge, 1996).

have primarily consisted of exercises in comparative history means that they do not so much examine the areas in which English, British, and European history interact with one another, but rather simply present British history as consistent with the general currents of the European narrative. While such comparisons take a toll on the traditional chauvinisms of English exceptionalism, these works only present an image of the various European national histories as moving in parallel paths and negotiating the same obstacles, albeit in subtly distinct ways. What is lacking from these studies are the moments at which those paths converged, during which the different national narratives altered those they encountered, and were themselves altered by the others.

In search of these more decisive interactions and interventions, there are a growing number of studies which examine the specific points of intersection between Britain and the Continent. Most such works have come from the labors of historians of Scotland and Ireland. Scottish and Irish scholarship's engagement with the Continent has largely focused on the exploits and experiences of military and religious communities that existed throughout Europe.<sup>11</sup> These communities immediately attract the attention of

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<sup>11</sup> Jerrold Casway, *Owen Roe O'Neill and the Struggle for Catholic Ireland*, (Philadelphia, 1984). Ginny Gardner, *The Scottish Exile Community in the Netherlands, 1660-1690*, (East Linton, 2004). Henry Grainne, *The Irish Military Community in Spanish Flanders, 1586-1621*, (Dublin, 1992). Rolf Loeber and Geoffrey Parker, "The Military Revolution in seventeenth-century Ireland," Ohlmeyer, Ed. *Ireland from Independence to Occupation, 1641-1660*, (Cambridge, 1995), pp.66-88. Allan Macinnes, Thomas Riis, and Frederik Pedersen, Eds., *Ships, Guns and Bibles in the North Sea and Baltic States, c.1350-c.1700*, (East Lothian, 2000). James Miller, *Swords for Hire: the Scottish mercenary*, (Edinburgh, 2007). Steve Murdoch, Ed., *Scotland and the Thirty Years War*, (Leiden, 2001). Patricia O'Connell, *The Irish College at Alcala de Henares*, (Dublin, 1997), *The Irish College at Lisbon*, (Dublin, 2001), *The Irish College at Santiago de Compostela*, (Dublin, 2007). Thomas O'Connor, Ed. *The Irish in Europe, 1580-1815*, (Dublin, 2001). Tomas O Fiach, *The Irish Colleges in France*, (Dublin, 1990). Jane Ohlmeyer, "Ireland independent: confederate foreign policy and international relations during the mid-seventeenth century," Ohlmeyer, Ed., *Ireland from Independence to Occupation*, pp.89-111. T. C. Smout, Ed. *Scotland and Europe, 1200-1850*, (Edinburgh, 1986). R. A. Stradling, *The Spanish Monarchy and Irish Mercenaries: the Wild Geese in Spain*, (Dublin, 1994). Igor Perez Tostado, *Irish Influence at the Court of Spain in the*



historians because of their key importance within the framework of the Scottish and Irish national narratives. Scotsmen who lived abroad to worship in churches free of episcopalian and liturgical impositions, or who took up arms in support of the “Protestant cause” on the Continent, became the nucleus of the Covenanting movement of the 1630s and 1640s. Likewise, Irish seminarians and soldiers who sought their fortunes in the courts of Europe played an important part in fostering an Irish national identity separate from, and in opposition to, the English government of Ireland. Despite their removal from their national soil, these communities’ contributions to the growth of Scottish and Irish national identities make their inclusion in the national histories essential.

In stark contrast to this healthy corpus of material on Scotland and Ireland’s engagement with the Continent, the history of English interaction with Europe during the Stuart era remains woefully underdeveloped. Unlike the Scottish and Irish, the English had few communities of exiles on the Continent to represent any sort of “alternative nationhood” in the same manner as Irish Catholics and Scottish presbyterians. There were of course both English Catholics and English presbyterians who removed themselves to the Continent, but without any final, historic moment of victory for historians to explain—akin to the long stories of Irish independence or Scottish nationalism—their relevance to the national narrative appears negligible. As a result, these communities have been for the most part abandoned to the periphery. Catholics have fared better than Protestant communities, especially given the movement in recent

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*Seventeenth century*, (Dublin, 2008). David Worthington, *Scots in Habsburg Service, 1618-1648*, (Leiden, 2004).

years among scholars to reintegrate them into mainstream English history. Studies of English Catholic communities and individuals in Europe have thus begun to appear, but much remains to be written.<sup>12</sup> The other major defect in the history of Anglo-Continental ties lies in the near-consensus among historians that the diplomatic efforts of James I and Charles I towards the Continent were largely negligible in their effects, both at home and abroad. This is especially true for the reign of Charles, for which there remains no dedicated diplomatic history. The reign of James has prompted more discussion among historians, especially with regard to the impact the king's ill-fated negotiations for the "Spanish Match" had on his relations with the Parliament of 1621. Even here, however, the concerns of historians remain somewhat parochial, for the episode's primary historical significance is usually located in the domestic political crisis which foreshadowed the constitutional conflicts of 1640.<sup>13</sup>

In part because of the resurgence in scholarly interest in the reigns of the later Stuarts and the Glorious Revolution, scholars are paying increasing attention to English

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<sup>12</sup> Paul Arblaster, *Antwerp and the World: Richard Verstegan and the International Culture of Catholic Reformation*, (Leuven, 2004). Thomas Clancy, *Papist Pamphleteers: the Allen-Persons Party and the Political Thought of the Counter-Reformation in England, 1572-1615*, (Chicago, 1964). Katy Gibbons, *English Catholic Exiles in Sixteenth-Century Paris*, (Woodbridge, 2011). Christopher Highley, *Catholics Writing the Nation in Early Modern England and Ireland*, (Oxford, 2008). A. J. Loomie, Ed., *English Polemics at the Spanish Court*, (New York, 1993). A. J. Loomie, *The Spanish Elizabethans: the English Exiles at the Court of Philip II*, (New York, 1963). David Worthington, Ed. *British and Irish Emigrants and Exiles in Europe: 1603-1688*, (Leiden, 2010). Romana Zacchi and Massimiliano Morini, Eds., *Richard Rowlands Verstegan: A Versatile Man in an Age of Turmoil*, (Turnhout, 2012).

<sup>13</sup> Simon Adams, "The Road to La Rochelle: English Foreign Policy and the Huguenots, 1610-1629," *Proceedings of the Huguenot Society of London*, 22, (1975). Simon Adams, "Spain or the Netherlands? Dilemmas of Early Stuart foreign policy," Tomlinson, Ed. *Before the English Civil War*, pp.79-106. C. H. Carter, *The Secret Diplomacy of the Habsburgs*, (New York, 1964). G. M. D. Howat, *Stuart and Cromwellian Foreign Policy*, (London, 1974). Thomas Cogswell, "Prelude to Ré: the Anglo-French struggle over La Rochelle, 1624-1627," *History*, 71, (1986), pp.1-21. Maurice Lee, "The Jacobean Diplomatic Service," *American Historical Review*, 72, (1987), pp.1264-1282. W. B. Patterson, *James VI and I and the Reunion of Christendom*, (Cambridge, 1997).

ties to Europe in the form of Anglo-Dutch relations. The Dutch, with their confession of a Protestant creed, their enmity with Spain concurrent to the Elizabethan war, and of course the Glorious Revolution, when the Dutch William of Orange became King William III of England, have much to recommend them as the closest European nation to England culturally, religiously, and economically.<sup>14</sup> The widespread affection among the English for the Dutch and their eighty year war against the Habsburgs is readily apparent in the popular sources of the period so it comes as no surprise that scholars have seen fit to look for connections between England and Holland. The cultural bonds, shared discourse about common perceived threats like Arminianism or Habsburg universal monarchy, and the less amicable saga of mercantile competition create a large and well-developed body of historical documents covering decades from Elizabeth's reign up until through the Anglo-Dutch Wars. This clear engagement only adds strength to the notion that the ties between England to Holland are the most significant of all cross-Channel relations. Last but not least, the high drama of the "Anglo-Dutch Moment" in 1688 assures that none can dispute the validity of looking deeper into the origins of the links between the two nations.

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<sup>14</sup> Simon Adams, "The Decision to Intervene: England and the United Provinces, 1584-1585," Martinez, Ed. *Felipe II (1527-1598) Europa y la Monarquía Católica*, I, pp.19-31. Simon Adams, "Elizabeth I and the Sovereignty of the Netherlands, 1575-1585," *Transactions of the Royal Historical Society*, 6<sup>th</sup> Series 14, (2004), pp.309-319. Hugh Dunthorne, *Britain and the Dutch Revolt, 1560-1700*, (Cambridge, 2013). Jonathan Israel, Ed. *The Anglo-Dutch Moment: Essays on the Glorious Revolution and its World Impact*, (Cambridge, 2003). Tim Harris, *Revolution: The Great Crisis of the British Monarchy, 1685-1720*, (London, 2006). Lisa Jardine, *Going Dutch: How England Plundered Holland's Glory*, (New York, 2008). Anthony Milton, *The British Delegation and the Synod of Dort (1618-1619)*, (Woodbridge, 2005). Steve Pincus, *1688: the First Modern Revolution*, (New Haven, 2009). Keith Sprunger, *The Learned Doctor William Ames: Dutch Backgrounds of Dutch and American Puritanism*, (Urbana, 1972). Keith Sprunger, *Dutch Puritanism: a history of English and Scottish churches of the Netherlands in the sixteenth and seventeenth centuries*, (Leiden, 1982).

Nevertheless, what historians have overlooked in this picture is that for all the English admiration for the Dutch, their religion, their commercial methods, and their republican virtues, there were at least as many ties binding England to the Dutchmen's hated enemy, and the traditional bugbear of early modern England: Spain. Indeed, in his cry for more engagement with the "world beyond Whitehall," Parker critiques the arbitrary scholarly attentions to certain nations to the equally arbitrary exclusion of others by declaring emphatically that "until 1640, in politics and perhaps also in literature, the dominant foreign influence on Britain was Spain."<sup>15</sup> This dissertation represents an attempt to address the great Anglo-Spanish lacunae, making use of Spanish, Belgian, and Austrian archival sources to gain a fuller picture of what links existed between Spain and the three kingdoms of Charles I. The results provide a complete vindication of Parker's exhortation, for hidden in the minutiae of diplomatic communication between Madrid, Brussels, and London is a fascinating episode which could have altered the history of Caroline England and the Civil Wars: the "Anglo-Spanish moment" that nearly was.

At first glance, it might appear that the high point of Anglo-Spanish relations during the early Stuart era occurred during the reign of James I. King James famously wished to be the arbiter of peace in Europe, which he hoped to obtain through an alliance with Spain, the premier Catholic power, and which was to be cemented by a dynastic marriage between Charles, the Prince of Wales, and the Spanish Infanta, Maria Anna. This episode of the "Spanish Match" is by far the most well-studied moment of Stuart-Habsburg relations, and it is not difficult to see why. It has the advantage of an

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<sup>15</sup> Parker, "The World Beyond Whitehall," p.275.

impressive cast of characters, including the Spanish ambassador Diego Sarmiento de Acuña, better known as the Count of Gondomar. The close friendship that existed between Gondomar and the king, as well as the wide-spread assumption that the Spaniard was lining the pockets of key members of the Jacobean court, give him a presence in contemporary popular culture well beyond his true impact, thus making him an attractive subject to historians.<sup>16</sup> The Spanish Match is also notorious for its dramatic conclusion, one of the most unusual events in Anglo-Spanish history, or even British history at large: the bold voyage of Charles, Prince of Wales, and the Duke of Buckingham to Madrid in 1623.<sup>17</sup> In most appraisals, this moment represents the turning point in Anglo-Spanish history that failed to turn. With Charles in their grasp, the Spaniards seemed poised to dictate terms in the marriage treaty that would have secured the Prince to Catholicism and alliance with Spain, and thus heralded the crumbling of the great edifice of Protestant England erected during the reign of Queen Elizabeth I and her twenty-year war against Philip II.

This was certainly a viewpoint shared by James's subjects, who had made their distaste known by various means. At the most basic level, they simply spoke against it with a barrage of political tracts and in popular demonstrations of outrage. Thomas Scott,

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<sup>16</sup> Charles H Carter, "Gondomar: Ambassador to James I," *The Historical Journal*, 7, (1964), pp.189-208. Carter, *Secret Diplomacy of the Habsburgs*, pp.120-133. A. J. Loomie, "Richard Berry: Gondomar's English Catholic Adviser," *Recusant History*, 11, (1971), pp.47-57. Loomie, "Gondomar's Selection of English Officers in 1622," *English Historical Review*, 88, (1973), pp.574-581. Patterson, *James VI and I and the Reunion of Christendom*, pp.314-338. Brennan Pursell, "James I, Gondomar, and the Dissolution of the Parliament of 1621," *History*, 85, (2000), pp.428-445. Glyn Redworth, *The Prince and the Infanta: The Cultural Politics of the Spanish Match*, (New Haven: 2003), pp.7-26.

<sup>17</sup> Redworth, *The Prince and the Infanta*, pp.73-144. Brennan Pursell, "The End of the Spanish Match," *Historical Journal*, 45, (2002), pp.697-726.

a clergyman who saw the Match as little more than union with Antichrist, decried it in a series of pamphlets, most notably his *Vox Populi*, which earned him exile to the Netherlands.<sup>18</sup> Scott's pamphlet was successful in communicating the anxieties of godly Englishmen and raising public discontent, which led a Catholic exile, Richard Verstegan, to blame it for inspiring London mobs to attack the coach of Gondomar in 1621.<sup>19</sup> The dissatisfaction with the king's policy stemmed not only from a Protestant distrust and loathing of Catholic Spain, but also because any movement toward the Spaniards must necessarily include an abandonment of James's son-in-law, the "Winter King" of Bohemia, Frederick V of the Palatinate. Controversy between king and people led to a constitutional crisis in the aborted Parliament of 1621, which James was forced to dissolve for its refusal to refrain from prying into the king's *arcana imperii*.<sup>20</sup>

With Charles and Buckingham's escape from Spain and return, without a bride, to England in 1623, this near "Anglo-Spanish Moment" seemed to come crashing down in favor of the "Blessed Revolution," by which the Prince and Buckingham launched the

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<sup>18</sup> Thomas Cogswell, "England and the Spanish Match," CUST, Hughes, Eds. *Conflict in Early Stuart England*, pp.107-133. Peter Lake, "Constitutional Consensus and Puritan Opposition in the 1620s: Thomas Scott and the Spanish Match," *Historical Journal*, 25, (1982), pp.805-825. Thomas Scott, *Vox populi. Or, Nevves from Spayne, translated according to the Spanish coppie. Which may serve to forewarn both England and the Vnited Provinces how farre to trust to Spanish pretences*, (London, 1620), STC 22100.

<sup>19</sup> Richard Verstegan, *Londons looking-glasse. Or the copy of a letter, written by an English travayler, to the apprentices of London*, (St. Omer, 1621), STC 18327.

<sup>20</sup> Simon Adams, "Foreign Policy and the Parliaments of 1621 and 1624," Sharpe, Ed. *Faction and Parliament*, pp.139-171. Thomas Cogswell, "Phaeton's Chariot: The Parliament-men and the Continental Crisis in 1621," Merritt, Ed., *The Political World of Thomas Wentworth*, pp.24-46. Conrad Russell, "The Foreign Policy Debate in the House of Commons in 1621," *Historical Journal*, 20, (1977), pp.289-309. Robert Zaller, "Interest of State: James I and the Palatinate," *Albion*, 6, (1974), pp.144-175. Robert Zaller, *The Parliament of 1621: a study in Constitutional Conflict*, (Berkeley, 1971).

nation into war with Spain in 1625.<sup>21</sup> The five-year Anglo-Spanish war that resulted, which soon overlapped with an ill-advised simultaneous war against France, proved the undoing of Charles's early bellicosity. Military disasters at Cadiz and the Île-de-Ré and widespread shipping losses to Habsburg privateers from Biscay and Flanders were soon joined by domestic opposition from Parliament, which steadfastly refused to fund the king's war without being privy to strategic planning.<sup>22</sup> As unwilling as his father to relinquish his regal prerogatives, Charles was forced to make peace in 1630. The peace of Madrid, negotiated by Baron Francis Cottington and the Count-Duke of Olivares, seemed to return the situation to pre-war conditions, and even included appealing provisions for the English in which the Spaniards gave up their traditional patronage and protection of the English Catholics.<sup>23</sup>

At this point, the prevailing scholarly consensus indicates that Spain and England moved apart after their brief flirtation with closer engagement. Scholars routinely depict Charles as having little relations of substance with any Continental power, much less Spain, throughout the remainder of his reign. S. R. Gardiner of course dismissed Charles's ham-handed efforts in the first years of his reign to 1631 as "futile diplomacy"

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<sup>21</sup> Thomas Cogswell, *The Blessed Revolution*, (Cambridge, 1989), pp.107-121. Robert Ruigh, *The Parliament of 1624: Politics and Foreign Policy*, (Cambridge Mass., 1971). Conrad Russell, *Parliaments and English Politics*, (Oxford, 1979), pp.145-203.

<sup>22</sup> J. S. Kepler, "Value of Ships gained and lost by the English shipping industry during wars with Spain and France, 1624-130," *Mariner's Mirror*, 59, (1973), pp.218-230. L. J. Reeve, *Charles I and the Road to the Personal Rule*, (Cambridge, 1989), pp.9-98. Russell, *Parliaments and English Politics*, pp.260-389. Richard Stewart, "Arms and expeditions: the Ordnance Office and the Assaults on Cadiz (1625) and the Isle of Rhé (1627)," Fissel, Ed. *War and Government*, pp.112-132.

<sup>23</sup> J. H. Elliott, *The Count Duke of Olivares*, (New Haven, 1986), pp.400-403. M. J. Havran, *Caroline Courtier: the Life of Lord Cottington*, (London, 1973), pp.97-102. A. J. Loomie, "Olivares, the English Catholics, and the Peace of 1630," *Revue belge de Philologie et d'Histoire*, 47, (1969), pp.1154-1166.

and sees the period of 1631 onward as one of English retreat from general European politics while Charles turned inward in pursuit of strengthening the personal rule.<sup>24</sup> Subsequent historians have little disproved this appraisal, especially since no comprehensive diplomatic study of the Caroline reign has ever appeared. G. M. D. Howat, who made the first notable attempt since Gardiner, presents a picture that at least acknowledges some movements on Charles's part toward Continental politics, especially toward Spain, but quickly rushes ahead to Cromwell's more active policy.<sup>25</sup> Simon Adams, also noting Charles's preferences toward Spanish alliance, nevertheless sees Charles's foreign policy as permanently hamstrung and doomed to impotence, given the irreconcilable disparity between the sentiments of king and people, the former favoring Spain and the latter the Dutch.<sup>26</sup> L. J. Reeve explores more of Charles's early diplomatic options, especially his responses to the Spaniards' desires to bring Charles into a military alliance against the Dutch by means of the Peace of Madrid. Reeve also discusses Charles's alternative option of alliance against Spain in league with France and Sweden. Notwithstanding these investigations, Reeve merely pushes the endpoint further to the end of 1632 and joins Gardiner in declaring Charles's policy "futile diplomacy."<sup>27</sup> Kevin Sharpe, in his exhaustive history of the personal rule, comes nearest to providing an adequate diplomatic history of Caroline England, but the overall effect of his chapters on

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<sup>24</sup> S. R. Gardiner, *History of England*, vii, pp.169-219.

<sup>25</sup> G. M. D. Howat, *Stuart and Cromwellian Foreign Policy*, (London, 1974), pp.40-47.

<sup>26</sup> Adams, "Spain or the Netherlands," pp.99-101.

<sup>27</sup> Reeve, *Road to the Personal Rule*, pp.226-274.



foreign policy is to reinforce the sense of Charles's insularity. In Sharpe's account, Charles eschews association with Spain in favor of the lonely path of ship money writs, and likewise abandons a near alliance with France when the Scottish rebellion explodes in 1637. Sharpe presents the discussions, but never shows them as leading anywhere, making the general scholarly dismissal of the affairs appear justified.<sup>28</sup>

Ignored entirely or discarded in brief asides by these and other historians is a final act in 1640, during which no fewer than three Spanish ambassadors arrived in London, offering Charles a chance to extricate himself from his Scottish troubles and his mounting English woes. Taken alone, this eleventh hour visit from the Spaniards appears ridiculous, and historically valuable only as an illustration of the extents of desperation that Charles had reached on the eve of the Civil Wars. This is exactly how Gardiner perceived the events, and the only scholars to take special note of it since have done no differently.<sup>29</sup> J. H. Elliott, master historian of the Spain of Philip IV and Olivares, read the incident as equally ridiculous from the Spanish side, a testament to Olivares's being overwhelmed by war with France and the outbreak of rebellions in Catalonia, later joined by Naples and Portugal. For Elliott, that Charles and the Earl of Strafford even entertained the Spaniards' proposals simply makes the episode a dual farce featuring the feverish and delusional wishful thinking of two embattled authoritarian favorites.<sup>30</sup> Caroline Hibbard, drawing on Elliott's account and appraisal, furthered the farcical

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<sup>28</sup> Kevin Sharpe, *The Personal Rule of Charles I*, (New Haven, 1992), pp.65-104, 509-536.

<sup>29</sup> Gardiner, *History of England*, vii, pp.169-219.

<sup>30</sup> J. H. Elliott, "The Year of the Three Ambassadors," Lloyd-Jones, Pearl, and Worden, Eds., *History and Imagination*, pp.165-181.

impression by placing the Spanish negotiations alongside the many outlandish and infeasible schemes she uncovered in her search for the elements of truth in the tales of “popish plotting” at the court of Charles I.<sup>31</sup>

This unimpressive reception is only natural if the appearance of the three Spanish ambassadors is treated as an isolated incident. But to fully appreciate what was afoot in 1640, it is necessary to place the Spanish offers within the full scope of Anglo-Spanish relations during the preceding decade. After the signing of the Treaty of Madrid, recruiting England into a general league with the Habsburg powers of Spain and Austria became a cornerstone of Spanish policy in Northern Europe. Concurrent with the peace treaty, Olivares had even persuaded Cottington to sign a “secret treaty” that promised Spain English diplomatic and military assistance against the Dutch Republic.<sup>32</sup> While many, including in the Spanish, did not place great stock in Charles’s ability to land an army on the European Continent to fight the Swedes and French in Germany, Olivares was convinced that England could still provide meaningful and decisive assistance in other ways. First, the addition of English ships to the Spanish naval assets in the North Sea and Flanders could tip the scales against the Dutch and contribute to victory by guaranteeing the safety of Flanders from seaborne attack and by keeping open the maritime supply lines to Spain.<sup>33</sup> In fact, Olivares believed the Dutch would be so

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<sup>31</sup> Caroline Hibbard, *Charles I and the Popish Plot*, (Chapel Hill, 1983), pp.124, 163-164.

<sup>32</sup> Elliott, *Count Duke of Olivares*, pp.403-405. Reeve, *Road to the Personal Rule*, pp.256-257.

<sup>33</sup> Elliott, *Count Duke of Olivares*, pp.542-544. J. S. Kepler, *The Exchange of Christendom: the International Entrepot at Dover, 1622-1641*, (Leicester, 1976). Harland Taylor, “Trade, Neutrality, and the English Road, 1630-1648,” *Economic History Review* New Series, 25, (1972), pp.236-260.

terrified by the defection of their erstwhile English allies that they would quickly come to the bargaining table for a settlement favorable to Spanish and Habsburg interests.<sup>34</sup> Additionally, the Army of Flanders was in constant need of new manpower to preserve its embattled position, especially when the threat of French intervention became reality in 1635. England and particularly Ireland represented a ready recruiting ground for quality soldiers that could quickly bolster the Spanish position in Flanders without the cost, delays, and risks of moving reinforcements along the increasingly perilous “Spanish Road” from Italy to Flanders through Central Europe.<sup>35</sup> These reasons to seek English aid did not diminish as the 1630s wore on, but rather increased, especially as French power grew through 1638 and in the aftermath of the terrible rout given to the Spanish fleet at the Battle of the Downs in 1639.

The reason Madrid reached out with extraordinary proposals in 1640 was, I argue, because the decade-long dream of English alliance seemed finally close to becoming reality, owing to changing circumstances in the British Isles. Throughout the preceding ten years, Spanish efforts never failed for lack of interest on their side, but always because of Charles’s unwillingness to ever agree to their terms. This may have arisen from a combination of his desire to maintain his own autonomy as a “third force” in Northern Europe, as suggested by Kevin Sharpe, as well as from the realistic recognition by the king and his councilors that the English nation would never cooperate with any

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<sup>34</sup> Reeve, *Road to the Personal Rule*, pp.238-241.

<sup>35</sup> Geoffrey Parker, *The Army of Flanders and the Spanish Road* (2<sup>nd</sup> Edition), (Cambridge, 2004), pp.26, 46-47, 55. R. A. Stradling, *The Armada of Flanders*, (Cambridge, 1992), pp. 92-106.

war prejudicial to international Protestantism, as argued by Simon Adams.<sup>36</sup> In 1640, however, the unabated rebellion in Scotland, the rebels' defeat of the royal army in 1639, and the growth of domestic opposition and unrest in England which all but guaranteed a non-compliant Parliament, all combined to create a situation in which Charles could no longer afford to say no. With great joy and confident of success, Spain sent its delegation to London. Their fatal error, however, was in failing to recognize just how bad Charles's position in England had become. To this lack of urgency was added the fact that letters passing between London and Madrid invariably took nearly a month to reach their destination, guaranteeing that Madrid was always slow to respond to changes in the English situation. Even though the Spanish ambassadors were meeting with the English team as early as 18 May 1640, the months of June and July were largely spent waiting for communications with Madrid. This slowness ultimately proved fatal to the treaty and to the would-be Anglo-Spanish moment. It was not until the end of July, when Charles was already preparing to summon his final Parliament, that the ambassadors were authorized to conclude an agreement with Strafford—but all for naught. The Spaniards had tarried so much in acquiring their prize that they were not able to enjoy it before the collapse of the Caroline regime plucked it from their grasp.

In order to gain the longer perspective necessary to contextualize these events, this dissertation follows the ebb and flow of Anglo-Spanish relations from the Peace of Madrid in 1630 until the opening of the Long Parliament in November 1640. It is a study

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<sup>36</sup> Adams, "Spain or the Netherlands," pp.96-101. Sharpe, *The Personal Rule*, pp.74-75, 545-551. Andrew Thrush, "Naval Finance and the origins and development of ship money," Fissel, Ed. *War and Government*, pp.133-162.

not only of connections between the British Isles and the Iberian Peninsula, but also of England's ties to the southern Netherlands under Spanish control, which for the sake of convenience shall be called "Flanders" throughout. Flanders was the northernmost bastion of the Spanish empire in Europe, and was crucial to Spain's ambitions in Central Europe in support of Philip IV's Austrian cousins. Although Brussels became a mere provincial capital after the reversion to Spanish sovereignty in 1621 with the death of Archduke Albert of Austria, its court enjoyed great prestige as a major node of the Spanish empire and the administrative center of the Army of Flanders, the largest Spanish military establishment in Europe. Its importance was further demonstrated by the exalted ranks of its governors, from 1621-1634 the Infanta Isabella, daughter of Philip II and widow of the late Archduke Albert, and after 1634 Philip IV's brother, the Cardinal-Infante Ferdinand.

As a result of this great political, military, and economic prominence, the court at Brussels hosted a whole college of diplomatic establishments from various Central and Northern European states. Charles I maintained his own permanent representation in the form of his agent Balthasar Gerbier, who served in Brussels from 1631 until his departure in 1641. During the same period, the Flemish court under the Infanta Isabella maintained a diplomatic resident in London, Henry Taylor, who in previous decades had been Gondomar's English secretary and was also the brother of the the Caroline diplomat and notorious court Catholic, John Taylor. Despite his English origins, Taylor had made a home for himself in Habsburg circles, changing his name to "Henri Tailler" and even

being ordained a priest in 1635, after which he joined a cathedral chapter in Flanders.<sup>37</sup> After Tailler's departure from England in 1635, representation of Brussels and the Cardinal-Infante passed to Juan de Nocolalde, who had already been serving in London as the resident of the King of Spain since 1630. Nocolalde, and after 1638 his successor Alonso de Cardenas, continued to play the dual role of representing both Madrid and Brussels until the end of the period. English representatives in Spain consisted first of the embassy of Arthur Hopton from 1631 to 1635, after which Walter Aston occupied the role. Aston continued until 1638, when Hopton returned to serve as ambassador for the remainder of Charles I's reign. These permanent embassies, joined occasionally by various extraordinary emissaries, provided the means of communication between the courts of London, Madrid, and Brussels, and thus generated the bulk of the sources used for this dissertation. The letters of Cardenas in particular, along with the extraordinary ambassadors the Marquises Malvezzi and Velada, provide all the details for the negotiations of 1640 with Strafford.

In chapters 1 and 2, the maritime relations between England, Spain, and Flanders are considered, with special attention given to the problems of security on the high seas encountered by both sides. Spanish and Flemish shipping passing through the Channel and North Sea was extremely vulnerable to attacks from Dutch, and later French, warships. This presented a grave strategic and logistical concern for the commanders of the Army of Flanders, who constantly feared that Flanders might be cut off from Spain

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<sup>37</sup> A. J. Loomie, "Canon Henry Taylor, Spanish Habsburg Diplomat," *Recusant History*, 17, (1985), pp.221-237.

and left encircled by enemies. Worse, many of the Dutch attacks took place in English territorial waters, leading the Spaniards to fear English sympathies with the Dutch and to seek greater guarantees of Channel security from Charles's government. The English for their part were irritated by the Dutch invasions of their claimed maritime sovereignty, and also by similar invasions by Flemish privateers, the dreaded "Dunkirkers," which also preyed on English shipping under pretext of preventing illicit trade with the King of Spain's Dutch rebels. Thus, by 1634, both sides had a vested interest in negotiating an agreement for joint security in the Channel. The result was an attempted naval treaty and limited alliance that would have put Charles on the Spanish payroll in exchange for providing naval protection to Spanish and Flemish vessels in the Channel and North Sea. Charles's unwillingness to be suborned in this way, and his even greater desire to avoid antagonizing his own people by making common cause with Spain against the Dutch prevented the treaty's implementation and helped introduce the issue of ship money to Stuart history. As the expanded English navy became a greater presence in the Channel during the later 1630s, Spain continued to solicit English support, but the disastrous Battle of the Downs in 1639 exposed the fundamental weaknesses and limitations of Charles's independently funded naval might. Increased Spanish need after the defeat, combined with Charles's public humiliation by the Dutch attacks on vessels within waters allegedly under his protection, contributed to the sending of Malvezzi and Velada to England in 1640.

Chapter 3 investigates the limitations of Charles's abilities for power projection, which belie the many indications the king attempted to make that England was a

resurgent major player in European politics. Discontent among influential noble families in Flanders and general unrest amid a precarious Spanish military position contributed to the calling in 1632 of the Estates General of the Spanish Netherlands. While the assembly was openly contesting the central authority of the Spanish crown in favor of local interests who desired peace above all else, the Estates General was also secretly negotiating with Flanders's neighbors to arrange the secession of the southern Netherlands from Spanish obedience. One party of conspirators approached Charles's agent Balthasar Gerbier and offered their country to England as a dependent protectorate. Charles was interested, and authorized Gerbier to negotiate with the conspirators in his name, although he also forbade Gerbier to make any definite promises. As the conspirators grew increasingly anxious for a decision while Spanish military fortunes improved throughout 1634, Charles became more and more reluctant to make a definite commitment, out of fear of provoking Spain and thus requiring another Parliament to finance any resulting military campaign. Impatient and resentful of his role, Gerbier took advantage of the situation and sold the details of the conspiracy to the Spaniards in exchange for a substantial sum of money. The fact that Gerbier's rationale for his independent and treasonous action was that Charles had neglected to pay him his salary for nearly the entire period of his residence in Brussels speaks volumes about the diplomatic apparatus and capabilities of Charles's government. Critical financial weakness paralyzed all Charles's efforts to play the arbiter of Europe.

Chapters 4 and 5 examine the most prominent feature of Anglo-Spanish relations during the 1630s: Charles's quest for the restoration of the Rhenish Palatinate to his



nephew the Prince Charles Louis, son of Frederick V of the Palatinate and Charles's sister Elizabeth. Charles inherited the Palatinate crisis from his father and had ostensibly gone to war with Spain in 1625 to recover it. After Frederick V's defeat at the Battle of White Mountain in 1620, which had eliminated his pretensions to the throne of Bohemia, the Spanish and Austrian Habsburgs had cooperated with Catholic League forces under the Duke of Bavaria to conquer Frederick's hereditary lands in the Upper and Lower Palatinate. At the signing of the Peace of Madrid in 1630, Charles had hoped to incorporate the restitution of the Palatinate in the treaty, but his position was so weak that it was all he could do to secure promises from Philip IV to mediate reconciliation between the Prince and the Emperor. The Spanish, for their part, viewed their possession of the Palatinate as their greatest asset for attempting to extract concessions from England, such as inducing Charles to join a general offensive-defensive league with both Spain and the Emperor. What ensued over the following decade was a bitter tug-of-war in which England repeatedly demanded the Palatinate and Spain stubbornly refused to restore it for anything less than the Anglo-Habsburg league. It was not long before the possession of the Palatinate became as much a hindrance to Spain's English policy as it was a means of leverage. Charles would not agree to even a partial alliance, such as the 1634 naval treaty, without full restitution. Meanwhile, Spanish intransigence came very close in 1637-1638 to driving Charles into the arms of the Spaniards' French and Dutch enemies. Thus it was with great relief that the Spaniards greeted the news of the rebellion in Scotland in 1637 which forced Charles to withdraw from his negotiations with France and made him lose his myopic preoccupation with the Palatinate. Matters

closer to his throne absorbed his attention, thus rendering him susceptible to the overtures offered by Madrid in 1640.

Chapter 6 examines one of Spain's most pressing necessities, which greatly impacted its relations with England: obtaining a constant resupply of high quality troops to serve in the wars in Flanders. Spain had long come to prize recruits from the British Isles, especially the Irish, as being excellent and effective soldiers who served with distinction in the Army of Flanders. These soldiers were regarded as superior to the Flemish and German levies, who had reputations for poor discipline and weak morale, and the Spaniards reckoned the British to be the equals of the more esteemed Spanish and Italian formations. The British Isles also presented the advantage of offering an immediate and easily accessible recruiting ground. Soldiers could be recruited and shipped directly to Flanders within a matter of weeks, whereas Spanish and Italian soldiers could only come at great cost and peril through Central Europe or by the equally dangerous sea passage from Spain. Spain tried continuously throughout the 1630s to recruit large numbers of English and Irish troops but could never get as many as they wanted. Charles, both for fear of antagonizing the Dutch and French, and in hope of pressuring Spain toward restoring the Palatinate, always hindered their efforts and severely limited recruitment. By 1640, both the land- and sea-based conduits for reinforcements from Spain had been curtailed by French armies and Dutch fleets. This meant that at the very moment Charles was finally being opened to Spanish persuasion by the Scottish rebellion, the Spaniards were in their most desperate need for English and Irish manpower. The constant threat to Flanders from Dutch and French invasion was

supplemented in 1638 by French invasion of Spain itself and in May 1640, concurrent with the extraordinary embassies to England, the outbreak of rebellion in Catalonia. Spain was therefore willing to pay the very high price demanded by Strafford, despite the knowledge that Charles's position meant his direct assistance against the Dutch would be long delayed, if it ever arrived at all.

Chapter 7 finally reaches the culmination of all these events and discusses the actual negotiations as they transpired throughout the summer of 1640. Charles was at last ready to give the Spaniards what they wanted, if only they would give him the money to allow him to restore order in his troubled kingdoms without recourse to Parliament. The Spanish were overjoyed to finally have England ready to join a league and, most importantly, to soon have access to an ample supply of Irish soldiers who they believed would hold the line in Spain and Flanders and give the Habsburgs the breathing room they needed to mount a general counter-offensive. The negotiations were not a desperate death throes of the personal rule, as historians have so far portrayed them, but a viable initiative on the part of Charles's government. For Strafford, to offer the Spaniards all that they had desired throughout the preceding decade, and without reference to the Palatinate, seemed a sure-fire sale that the Spaniards could not afford to refuse, and for which they would save Charles from his subjects. That the Spaniards did not seize upon the treaty with the alacrity Strafford expected is perhaps more surprising than the offer itself. The summer of 1640 represented a great opportunity for both sides, and could have had a dramatic effect on both the British Civil Wars and the decline of Spain. This was the Anglo-Spanish moment.

## **Chapter 1: Trade, Violence at Sea, and the English Road**

The treaty of Madrid in 1630 ended an unpopular and unsuccessful war for England and allowed Charles I to settle affairs in his kingdom and embark on the eleven-year period of royal autonomy known as the personal rule. While much of the king's attentions were focused on solidifying his position in domestic affairs, Charles never lost sight of the world beyond Britain. Although England had made peace with all its enemies, all of her neighbors remained embroiled in the Thirty Years War in Germany and the concurrent Eighty Years War in the Netherlands. In such an environment England risked being side-lined as a major European power and Charles and his government were eager to prevent the withdrawal of England from international relevance. Of particular importance were the relations with Spain, who, through their occupation of the Rhine Palatinate and subsidization of the Austrian Habsburg war effort, controlled the destiny of Charles's sister and nephews. The restoration of Charles's nephew, Charles Louis to the Palatinate and to the status of an Elector Prince of the Empire was the paramount foreign policy objective of Caroline England. To accomplish his ends, Charles needed the ability to successfully influence Spain and from the outset of the personal rule, he was hard-pressed to find the means to do this.

The traditional lever available to England would have been manipulation of wool and cloth exports to the cities of Flanders, something no medieval Duke of Burgundy had been able to overlook. England and Flanders had enjoyed a long and prosperous relationship throughout the Middle Ages based on the exporting of both raw wool and

undyed broadcloth from England to the textile towns of Flanders for finishing into tapestries, fine linens, and other items pertaining to the “rich trades” that guaranteed the fortunes of the provinces of Flanders and Brabant.<sup>1</sup> While the Merchant Adventurers of London, who held the monopoly for exporting cloth, had removed the cloth staple from Antwerp in 1582, Flanders remained a market for English cloth and English merchants had traded there amicably since the signing of the Anglo-Spanish peace of 1604. The monopoly enjoyed by the Merchants Adventurers had been on the decline, and unaffiliated merchants had readily received licenses from the English government to export wool and cloth since the 1590s, a policy which continued through the reigns of James I and Charles I.<sup>2</sup> It was primarily these independent middlemen merchants who kept the traffic in English cloth alive in Flemish markets. The war of 1625-1630 had interrupted this exchange but with the signing of the peace in 1630, English merchants were soon appearing in Flemish ports with their cargoes. Conditions in Flanders, however, had not remained the same and the Flemish ministers had taken advantage of the war’s interruption to impose new duties on English cloth. The English resident in Brussels, Balthasar Gerbier, would spend much of his first few years in Flanders struggling for adjustment of these rates, but with little success. The changing economic

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<sup>1</sup> Ramsay, *The Queen’s Merchants and the Revolt of the Netherlands*, (Manchester, 1986), pp.1-15. For medieval origins, see: T. H. Lloyd, *The English Wool Trade in the Middle Ages*, (Cambridge, 1977). Eileen Power, *The Wool Trade in Medieval English History*, (London, 1942). For English merchants’ role in Northern Europe at large see: Ramsay, *The City of London in International Politics to the Accession of Elizabeth Tudor*, (Manchester, 1975). For cultural as well as economic connections, see: John Murray, *Flanders and England: a cultural bridge*, (Antwerp, 1986). For Scottish trade history in the Low Countries see: Matthijs Rooseboom, *The Scottish Staple in the Netherlands*, (The Hague, 1910).

<sup>2</sup> Peter Bowden, *The Wool Trade in Tudor and Stuart England*, (London, 1962), pp.141-148. For an overview of general changes in trade: B. Supple, *Commercial Crisis and Change in England, 1600-1642*, (Cambridge, 1959).

winds in Flanders, ending centuries of Anglo-Flemish cooperation and mutual dependency, would place England at a disadvantage in these matters and force Charles's government to seek alternative forms of leverage with the Flemish and Spanish ministers. This search would eventually lead England to opt for the great mid-decade naval expansion funded by the writs of ship money.

The sea lanes of Northern Europe, already hazardous from geography and weather, became more dangerous in the 1630s due to the great numbers of predatory fighting ships patrolling them. Spanish maritime objectives during the decade thus centered on trying to neutralize the threat posed by the Dutch to their own shipping and commerce. The maritime dominance of the Dutch Republic was a constant menace to Spain's communications with the provinces of Flanders and the revenues of the Republic's ample merchant fleet kept Dutch armies in the field against their Spanish enemies.<sup>3</sup> With the expiration of the Twelve Years Truce between Spain and the Dutch Republic in 1621, warfare resumed on the seas and both sides struggled for advantage in the North Sea and English Channel. Spain tried to contain and counter the Dutch threat through blockades of the Dutch coast, never fully effective, and a great expansion of the naval forces in the North Sea as a separate and dedicated command known as the Armada of Flanders.<sup>4</sup> In turn, the Dutch made a concerted effort to blockade the ports of Flanders

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<sup>3</sup> Jonathan Israel, "A Conflict of Empires: Spain and the Netherlands, 1618-1648," as reprinted in Jonathan Israel, Ed., *Empires and Entrepots: The Dutch, the Spanish Monarchy, and the Jews, 1585-1713*, (London, 1990), pp.1-41. For a general overview of the expansion of Dutch trade, see also: Jonathan Israel, *Dutch Primacy in World Trade, 1585-1740*, (Oxford, 1989) and the same author's *Conflicts of Empires: Spain, the Low Countries, and the struggle for world supremacy*, (London, 1997).

<sup>4</sup> Israel, "A Conflict of Empires," pp.9-24. R. A. Stradling, *The Armada of Flanders, Spanish Maritime Policy and European War, 1568-1668*, (Cambridge, 1992), pp.1-110.

throughout the decade both to deny the Army of Flanders vital supplies and reinforcements as well as in an effort to protect their own commerce from the attacks of the Armada of Flanders or Dunkirker privateers.<sup>5</sup> While Spanish efforts to check the rise of Dutch naval superiority did not lack vigor and had some momentary successes, the period is overall marked with diminishing returns in the effectiveness of Spain's naval forces against the combined might of her numerous enemies.<sup>6</sup>

In these circumstances, England became of prime importance in Spanish deliberations about the often-precarious position of Flanders, especially after 1635 when France joined the Thirty Years War on the anti-Habsburg side. Despite falling into disadvantage in the Anglo-Flemish cloth trade, England, as a neutral major power, had tremendous opportunity to profit from its strategic position upon the sea lanes the Dutch, Spanish, and French were so hotly contesting. Thus England exploited its position through the establishment of the ship-based "English Road" connecting Spain to Flanders and which ensured the safe travel of money and supplies to the Army of Flanders.<sup>7</sup> The advantages to Spain were obvious. England also benefitted from the exchange through great revenues raised on re-exporting Spanish goods from the port of Dover, which

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<sup>5</sup> Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall, 1477-1806*, (Oxford, 1995), pp.313-315.

<sup>6</sup> R. A. Stradling, "Catastrophe and Recovery: The defeat of Spain, 1639-1643," as reprinted in Stradling, Ed., *Spain's Struggle for Europe, 1598-1668*, (London, 1994), pp.197-212. David Goodman, *Spanish Naval Power, 1589-1665: Reconstruction and Defeat*, (Cambridge, 1997).

<sup>7</sup> J. S. Kepler, *The Exchange of Christendom: The International Entrepôt at Dover, 1622-1651*, (Leicester, 1975). Kepler, "Fiscal Aspects of the English Carrying Trade during the Thirty Years War," *Economic History Review* New Series Vol. 25, (1972), pp.261-283. Harland Taylor, "Trade, Neutrality, and the 'English Road', 1630-1648," *The Economic History Review* New Series Vol. 25, (1972), pp.236-260.

became a major entre-pot in Northern Europe. While the services England rendered Spain were strategically vital to Spain's war effort, this system still proved inadequate as a means to influence or participate in Spanish policy. Charles's cash-strapped government was prone to be as dependent, if not more, on maintaining the English Road in operation, and even when English ministers would occasionally seem ready to force alterations to the system, the fear of Spain removing its business from England's ports prevented them from ever carrying through on their threats. Charles's search for advantage would have to look elsewhere.

### **I. Trade Agreements and Negotiations: Gerbier and the Cloth Customs**

The Anglo-Spanish War of 1625-1630 proved a miserable and ill-led affair for England and wholly unprofitable for English merchants. While they would suffer greatly at the hands of the Dunkirkers and other Habsburg naval forces, not least among the merchants' trials was being cut off from the Flemish cloth markets, on which so much English commerce depended.<sup>8</sup> A secretary of the Archduchess Infanta Isabella in Brussels, Charles Della Faille, kept contact with several English spies during the course of the war and already in 1626 was receiving reports that the English merchants were protesting throughout London of the losses they had sustained due to the interruption in the trade with Flanders.<sup>9</sup> By 1627, the Earl of Holland was leading an effort to try to get

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<sup>8</sup> For the depredations of the Dunkirkers and Biscayans, see below: Chapter. 1, II.

<sup>9</sup> X to Della Faille, 23 June 1626, HNSA PC 63 f.28.



the markets of Flanders re-opened to English merchants despite the ongoing war. He dispatched an agent of his to go to Spain via Brussels to treat for this purpose. The agent also bore instructions to feel the pulse of Spanish interest in peace which, the spy assured Della Faille, Charles himself already desired.<sup>10</sup> When peace finally returned between the two crowns three years later, the English merchants wasted no time in trying to re-establish their commerce to pre-war status.

Filling a position of English agent in Brussels that had been vacant since William Trumbull's departure just before the war in 1625, Balthasar Gerbier arrived at his new posting in June 1631. He brought with him explicit instructions to immediately restore the all-important cloth trade to the antebellum arrangements, which the English believed were guaranteed in the articles of the peace signed between the two crowns.<sup>11</sup> The main English complaint was that the customs duties placed on English cloth had climbed to a level high above what had been paid before the war.<sup>12</sup> Article 18 of the treaty of Madrid had stated that trade regulations would return to conditions before the war. The case of the English merchants was that this referred to a treaty signed in 1506 which had established English cloth as a free good, entering without passport, and paying a duty of only one sous per cloth. The 1506 agreement had been reinstated in 1604 by the Treaty of London signed between James I and Philip III, which had in turn been renewed in

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<sup>10</sup> X to Della Faille, 3 November 1627, HNSA PC 63 f.357.

<sup>11</sup> Memoranda of Gerbier on Instructions, 7 May 1631, TNA SP77/20 f.27.

<sup>12</sup> Ibid.

1616.<sup>13</sup> In 1631 however, the port authorities in Flanders were saying English cloth was prohibited merchandise, requiring a passport that demanded 200 écus per year as well as being subject to a tax of 29 francs per cloth.<sup>14</sup> This was a steep increase and the merchants were understandably incensed. Gerbier's first audiences with the Infanta seemed to promise smooth sailing as Isabella was all charm and assured Gerbier that she would appoint a committee to handle the issue without delay.<sup>15</sup> This assurance proved deceptive and the issue dragged on. In October, William Balfour, passing through Brussels while on an extraordinary embassy received a similar assurance of expedition from the Infanta, with similar results.<sup>16</sup> Gerbier, impatient with the delay, delivered his first of many remonstrances to the Infanta's secretary Della Faille, citing previous assurances of haste and protesting the lack of any action.<sup>17</sup> Among the earliest of the tactics employed by the Brussels Council of Finances was the refusal to accept Gerbier's testimony defining the stipulations of pre-war trade treaties. The councilors subsequently delayed progress for many weeks by demanding that Gerbier provide attested copies of every trade agreement he cited to make his claim for the lower customs rate. Gerbier provided what he termed "un Laberinthe de registres" going back to 1446 in support of

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<sup>13</sup> Gerbier's Proposal, 14 July 1631, TNA SP77/20 ff.71-71v.

<sup>14</sup> Gerbier to Dorchester, 29 June 1631, TNA SP77/20 f.53v.

<sup>15</sup> Gerbier to Dorchester, 6 July 1631, TNA SP77/20 f.64.

<sup>16</sup> Gerbier to Dorchester, 16 October 1631, TNA SP77/20 f.178.

<sup>17</sup> Gerbier to Della Faille, 11 February 1632, TNA SP77/21 f.57.

his claims but with little impact.<sup>18</sup> Hounded by Secretary John Coke for updates, Gerbier was forced to write back that the affairs were lost in process without end in sight.<sup>19</sup>

By this time Gerbier was fully aware that the council of Finances had no interest in resolving the dispute and thought advocating more aggressive means could be of some benefit. Thinking that perhaps Madrid would be willing to interfere in the provincial affairs of Flanders, he first suggested going over the heads at Brussels by having Coke take the matter up with Juan de Neocolalde, the king of Spain's resident in London. Other than this "via regia", he thought firing back with some new customs imposts on Flemish imports in England might rouse the Council of Finances to action.<sup>20</sup> London ignored his suggestions and pursued neither of these courses, but Gerbier steadfastly continued to pester the Infanta and her council for redress as the months advanced. Charles finally sent his own letter requesting the Infanta to take up the matter, which prompted her to assure Gerbier that she would direct her council to attend to the matter with diligence.<sup>21</sup> In response to the Infanta's gentle prodding, the Treasurer-General Kinscot wrote to Gerbier in early 1633 but rather snottily insisted that the Isabella's intervention merely remitted the affair over to its rightful judges, the Council of Finances, who had already declared their decisions on the matter. Kinscot's assertion that Gerbier was merely bringing forth "nothing but a deble of paper or causes of more dispute which would never

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<sup>18</sup> Remonstrance of Gerbier to Kinscot, Treasurer General of Finances, 20 March 1632, TNA SP77/21 f.109.

<sup>19</sup> Gerbier to Coke, 31 March 1632, TNA SP77/21 f.123.

<sup>20</sup> Gerbier to Coke, 28 May 1632, TNA SP77/21 f.201.

<sup>21</sup> Gerbier to Coke, 8 January 1633, TNA SP77/22 f.364v.

come to a profitable end” offended Gerbier sufficiently to warrant a letter of protest to the Infanta, but the issue itself remained unresolved.<sup>22</sup>

After the Infanta’s death in 1633, the advent of new ministers seemed to offer some hope for change. Gerbier submitted all new remonstrances to the Cardinal-Infante Ferdinand who had assumed the governorship on his aunt’s death, and to Pierre Roose, President of the Council of Brabant and Olivares’s picked man.<sup>23</sup> The Cardinal-Infante followed the precedent of his aunt and promised to direct his ministers to address the grievance, while Roose directed the matter straight back to Kinscot and the Finances, who remained as intransigent as ever. Kinscot reiterated the position taken by the Finances that the English cloth was a good admitted only by passport, and as such was subject to any imposition the state saw fit to place, prior treaties or arrangements having no bearing on the matter whatsoever.<sup>24</sup> Gerbier began a long and troubled relationship with President Roose at this point, continuing to hound the man on the matter of the cloth and eventually earning his enmity.<sup>25</sup> The high water mark followed shortly afterward when Gerbier produced a catalog of every remonstrance he had submitted on the matter for the past four years with a final demand for expedition.<sup>26</sup> The Cardinal-Infante duly ordered the Council of Finances to review the issue once more, appointing Kinscot, the Chancellor Boiscot, and Finance councilor Jean-Baptiste Van Male to decide the matter.

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<sup>22</sup> Remonstrance of Gerbier to the Infanta, 20 March 1633, TNA SP77/23 f.114.

<sup>23</sup> J.H. Elliott, *The Count-Duke of Olivares*, (New Haven, 1986), pp.405-406.

<sup>24</sup> Gerbier to Coke, 12 January 1635, TNA SP77/25 f.1.

<sup>25</sup> Gerbier to Coke, 6 April 1635, TNA SP77/25 f.101.

<sup>26</sup> Gerbier to Coke, 4 May 1635, TNA SP77/25 f. 136v.

These three men had been heavily involved in the case for the preceding four years and all too familiar with their views on the subject, Gerbier had no hopes for redress. The customs dispute would continue without favorable outcome until eventually fading into the background as the decade progressed. Gerbier remarked that the case was doomed to fail in part because of the willingness of the merchants to endure the new duties in spite of their injustice: “I doubt much the successe of that busines of taking downe Licent on cloth will not answeare expectation, since these concieave the Marchants willing to come att what price so ever.”<sup>27</sup>

Gerbier’s difficulties in part stemmed from the fact that the Flemish authorities he had no interest in seeing the increase of English trade, which they had come to view as detrimental to their own. A casualty of the Anglo-Spanish antagonisms in the era of Elizabeth I and Philip II, the cloth staple of the Merchant Adventurers of London had been withdrawn from Antwerp in October 1582.<sup>28</sup> The result of deteriorating advantage of English merchants in ports controlled by an increasingly hostile regime, the removal of the staple came as severe blow to the economy of Antwerp and brought an end to centuries of a lucrative trade for both English and Flemish merchants. Nevertheless, as Gerbier’s experience demonstrates, the anguish of Antwerp over the loss of the staple in 1582 had lost some of its bite by the 1630s. Far from rushing to open their gates to English cloth merchants, the Flemish towns had evidently retooled their economies to compensate for the loss of the traditional sources of English cloth. Indeed there was a

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<sup>27</sup> Gerbier to Coke, 25 May 1635, TNA SP77/25 f.156v.

<sup>28</sup> Ramsay, *The Queen’s Merchants*, pp.186-190.

widespread recovery in the linen industry in many of the towns of Flanders during the seventeenth century, which by the 1620s appeared ready to bounce back completely to pre-1580s prosperity.<sup>29</sup> In part this seems to have been the result of efforts to make good the losses by encouraging local production:

For the honorable motion of Don Carlos cannot move them to take a resolution contrary to their owne ends and profite, which in efect in this particular busines of Cloth seemeth to tend to the establishing of the manufacture thereof in their owne Country, and albeit the imbroiles of warres wilbe a mayne hinderance to that desaigne yet they shew their unwillingnes to abate their kinges revenue<sup>30</sup>

Don Carlos Coloma, who had helped negotiate the Anglo-Spanish peace in 1630, was afterwards rewarded with a command in the Army of Flanders. Still well-disposed toward England from his peace negotiations, Coloma had presented himself to Gerbier as a friend and confidant as soon as Gerbier arrived in Brussels. Taking advantage of the connection, Gerbier asked for Coloma's intercession in the cloth customs dispute and Don Carlos exerted what influence he had in support of the English case.<sup>31</sup> The Marquis d'Aytona, the Spanish "ambassador" at the Brussels court, was also eager to cement the friendship of England and Spain and added his own influence to Coloma's.<sup>32</sup> As Gerbier's report to the Merchant Adventurers quoted above attests, the onset of a protectionist movement among the local Flemish officials thwarted both English and

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<sup>29</sup> Emile Coornaert, *Un centre industriel d'autrefois: la draperie-sayetterie d'Hondschoote*, (Paris, 1930), pp.493-494. Francine de Nave, *Antwerpen en de scheiding der Nederlanden (17Augustus 1585)*, (Antwerp, 1986), pp.80-81.

<sup>30</sup> Gerbier to the Governor and Company of the Merchant Adventurers, [undated] 1632, TNA SP77/21 f. 129.

<sup>31</sup> Gerbier to Dorchester, 25 July 1631, TNA SP77/20 f.85.

<sup>32</sup> Gerbier to Dorchester, 12 August 1631, TNA SP77/20 f.117.

Spanish intentions, and stood as a remarkable illustration of the level of independence still exercised by the estates of Flanders even while under direct Spanish rule. While it is true that the revenues generated from the customs belonged to the King of Spain, this development coincided with widespread refusal by the Estates General of the obedient provinces to pay any more money to Spain without a greater participation in policy which establishes a credible context for this apparent bid for autarky.<sup>33</sup> Further evidence appears in a report in which Gerbier described the efforts of Flemish merchants to establish their own East India company to compete with those of the Dutch and English. He predicted correctly that it would come to naught, however, given how jealously the Crowns of Castile and Portugal guarded their respective monopolies in the West and East Indies trade.<sup>34</sup>

Apart from long-term economic goals for Flanders, the provincial ministers were also set to enrich themselves greatly from the continuance of the steep customs rates. Gerbier complained to Coke in 1634 that the Cloth license “is now put to farme to one of these Countries, who anticipates 77 [sous] to those of the Finances & almost the like somme to be paid to them every six months soe that by this the 24 guld sett on each English Cloath becomes an hereditary right.”<sup>35</sup> Aside from these material rewards, the

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<sup>33</sup> See Chapter 3 for more details on the distempers that threatened to separate Flanders from Spanish obedience. For more on Spanish and Flemish protectionism see: Jonathan Israel, “The politics of international trade rivalry during the Thirty Years War: Gabriel de Roy and Olivares’s mercantilist projects, 1621-1645,” *International History Review*, 8, (1986), pp.517-688. Paul Janssens, “L’esprit mercantiliste et la notion de derogance dans les Pays-Bas espagnols et autrichiens,” *Studia Historica Oeconomica* (Leuven, 1993), pp.239-257.

<sup>34</sup> Gerbier to Coke, 8 July 1633, TNA SP77/23 f.222.

<sup>35</sup> Gerbier to Secretary of State, 27 January 1634, TNA SP77/24 f.19.

personalities involved were not disposed to agreeable settlements. Gerbier's letters are full of denunciations of Kinscot and the treasurer seems to have returned the same affections. Gerbier's enemies among the Flemish officials also included Jean-Baptiste Van Male, who had served as the Resident of the Archduke Albert in London from 1617-1625 and who the Cardinal-Infante had named to the commission to settle the cloth dispute in 1634.<sup>36</sup> Van Male had consistently opposed Gerbier's efforts from the beginning and was in part responsible for Gerbier's need to assemble his "labyrinth of registers." The massive documentation was necessary to counter the scrupulous arguments made by the Council of Finances who he said "provide themselves with cart loads of papers, by the talking & imbroiling braines of Van Malle."<sup>37</sup> Later in 1636, when composing a guidebook of the court at Brussels he would describe Van Male as

noe good friend to England though in outward show makes profession to be much English cause lived almost 30 yeares there. Hath crost most of all the abatement of licents on cloth, lyeth most abominably, would once in my hearing maintayne to the Bishop of Gant King Jeames of happy memory never meant to match his Majestie with the Infant of Spayne for which and his advection to the setling of the common good I left van Malle to his owne name<sup>38</sup>

This scathing report singled Van Male out especially as a cause of the Customs dispute never being resolved and cautioned any future English resident to beware of his malevolent influence and enmity to England. Van Male's own career in England during the 1620s offers some corroboration, as during that time he already showed a consistent readiness and desire to manipulate policy to the advantage of Flemish merchant interests.

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<sup>36</sup> C. H. Carter, *The Secret Diplomacy of the Habsburgs*, (New York, 1964), pp.134-152.

<sup>37</sup> Gerbier to Skinner, 19 September 1631, TNA SP105/7 [unfoliated].

<sup>38</sup> Notes for a Resident at Brussels, [undated] 1636, TNA SP105/13 f.68.



In one instance where James I had levied a one-percent tax on all foreign merchants' trades, he advocated the Flemish cloth markets respond by immediately imposing heavy duties on English cloth, a proposal that was realized in the post-war duties that Gerbier was trying to contest.<sup>39</sup> In an earlier incident, after repeated attacks on Spanish and Flemish vessels in English waters, he had advocated (and convinced the Infanta to implement) banning all English imports that came by way of Holland or France. By this means, he proposed that the English would be forced to land their wares directly in Flanders and James would thus be obliged to direct his ships to protect the English merchants and incidentally the Spanish and Flemish ones as well. That it would deny trade to the Habsburgs' enemies in Holland and France was an added benefit.<sup>40</sup> His business acumen was evidently recognized for upon his return from England in 1625 he was named to the Council of Finances, where Gerbier found him.

These were the forces arrayed against Gerbier's efforts, but just as many problems were found on the English side of the negotiations. Gerbier's disdainful remark on the readiness of merchants to accede obediently to the new customs did not spring from a vacuum. He had spent most of the preceding four years of negotiations increasingly irritated with the representatives of the English Merchant Adventurers and saw them as being as much part of the problem as the unyielding Council of Finances. Before leaving for Brussels in 1631, Gerbier had been in contact with John Skinner, secretary to the Company of Merchant Adventurers. Skinner had promised him that the Company would

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<sup>39</sup> Van Male to Infanta, 26 August 1622, HHSA PC 58 f.445v.

<sup>40</sup> Van Male to Infanta, 4 June 1622, HHSA PC 58 f.289v.

send some representatives to assist Gerbier in his negotiations but to Gerbier's annoyance none arrived, nor did he receive any word of when he could expect them.<sup>41</sup> Finally in July 1631, Gerbier received word from the Company that the negotiations were entrusted to a party of English merchants based in Antwerp including Lyonell Wake who would remain on good terms with Gerbier throughout the ten years of his residency. Gerbier's first impression of this group was displeasure, calling them people "sans jugement."<sup>42</sup> A few days later he stated that Wake and his colleagues were hardly suitable for the delicate nature of diplomatic affairs and begged that Charles would intervene directly with the Flemish ministers. He was especially affronted by a letter he received from the Company in which the Merchant Adventurers apparently implied that the success or failure of the business would be Gerbier's personal responsibility.<sup>43</sup> Gerbier had wished to conduct the negotiations at a slow pace so as not to give off an air of desperation, but was confounded when Wake and the other merchants of Antwerp ignored his instructions and instead rushed to Brussels from Antwerp in late July to deliver hastily drafted remonstrances.<sup>44</sup> After this slipshod entry into the business, the merchants returned to Antwerp and abandoned Gerbier to deal with the Finances alone. Gerbier neither forgave nor forgot this, insisting that the negotiations fell through because the merchants were too eager to

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<sup>41</sup> Gerbier to Dorchester, 29 June 1631, TNA SP77/20 f.53.

<sup>42</sup> Gerbier to Weston, 16 July 1631, TNA SP105/7 [unfoliated].

<sup>43</sup> Gerbier to Dorchester, 25 July 1631, TNA SP105/7 [unfoliated].

<sup>44</sup> Gerbier to Dorchester, 1 August 1631, TNA SP105/7 [unfoliated].

reach a speedy settlement, no matter how unfair or disadvantageous, merely to sell their stock.<sup>45</sup>

Gerbier's later "assistance" from the Merchant Adventurers would prove no more helpful, though it seems the Company felt a mutual exasperation with him and proceeded to ignore him in their next attempt. Gerbier received word from the Company in late February 1635 that they were sending a pair of representatives led by Edward Misseldon to take up the negotiation of the Cloth duties in Antwerp.<sup>46</sup> Gerbier was surprised that they had made no effort to contact him but noted in his report to Secretary Coke in late March that the two representatives appeared to be close to negotiating a settlement of their own and had arrived in Brussels accompanied by the Burgomaster of Antwerp.<sup>47</sup> Misseldon's object was to establish an English factory in Antwerp with the English cloth restored to the status of a free merchandise in that city. Among other Flemish towns, which had made their fortunes on supplying the cloth to Antwerp that once had been imported from England, the news prompted a strong protectionist reaction. From these towns petitions arrived at the Council of Finances protesting that "their cloth trade would decay case the English erect a staple here & that therefore a party would oppose the abatement of Licent on cloth against the other."<sup>48</sup> This was the grassroots support for the continued high duties on English cloth. In the fact of this resistance, Misseldon's project

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<sup>45</sup> Gerbier to Weston, [undated] August 1631, TNA SP105/7 [unfoliated].

<sup>46</sup> Gerbier to Coke, 2 March 1635, TNA SP77/25 f.38v.

<sup>47</sup> Gerbier to Coke, 30 March 1635, TNA SP77/25 f.91.

<sup>48</sup> Gerbier to Coke, 6 April 1635, TNA SP77/25 f.99.

lost steam, though Gerbier remained only acquainted with the matter at a distance.<sup>49</sup> When it was clear the agreement had fallen through, Gerbier was quick to assign all the blame to Misseldon and protested his own innocence citing his lack of any involvement in the affair: “as by copie of their owne letter to me appears I was not to medle more in that busines, though I received noe such order contrary my former instructions.”<sup>50</sup>

Misseldon would continue in Flanders for over a year, though Gerbier took little notice of him. Insult increased when Misseldon had asked Gerbier to deliver a remonstrance for him to the Cardinal-Infante in July 1636. Having agreed, Gerbier attended his scheduled audience only to find Misseldon and the remonstrance nowhere in sight.<sup>51</sup> Spared embarrassment only because he had another remonstrance of his own to deliver, Gerbier resolved not to take any more interest in Misseldon’s negotiations. This tack was immediately vindicated by a rude letter from Misseldon in which the merchant told Gerbier, “the poorest Englishman in Brussels might have don that without troubling of you.” As to the perceived insult, Misseldon claimed, “but you see it was in fieri not in facto, nothing don, yet you see sometimes the slips of a pen makes nothing seemes something.”<sup>52</sup> Gerbier would ultimately have the last word in this feud when Ostend port authorities seized a ship carrying allum in which Misseldon was invested. Responding to a letter from the hapless merchant, Secretary Windebank ordered Gerbier to assist

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<sup>49</sup> Gerbier to Coke, 25 May 1635, TNA SP77/25 f.156v.

<sup>50</sup> Gerbier to Secretary of State, 29 June 1635, TNA SP77/25 f.205.

<sup>51</sup> Gerbier to Coke, 5 July 1636, TNA SP77/26 ff.209v-210.

<sup>52</sup> Edward Misseldon to Gerbier, 5 July 1636, TNA SP77/26 f.234.

Misseldon despite the bad history between the two men.<sup>53</sup> Gerbier responded in surly terms that “like most all marchants (soe they have their endes) care not whether matters goe smooth or ruffe betweene states” and accused Misseldon of having brought the allum affair upon himself through sloppy mismanagement of his papers. Thus deciding for himself that bad bookkeeping was outside the purview of the king’s agent, he left the matter to Misseldon himself to sort out.<sup>54</sup>

With all these hindrances, Gerbier’s efforts to adjust the cloth custom back to pre-war levels ultimately failed. During 1631-1633, Gerbier’s counterpart in Madrid, Arthur Hopton engaged in a similarly fruitless dispute with Olivares surrounding the price of salt, which a new imposition had caused to rise beyond pre-war levels.<sup>55</sup> In that instance, the new imposition had begun during the Anglo-Spanish War, and was part of a general program of Olivares to levy indirect taxes on the clergy and nobility.<sup>56</sup> While Hopton made several attempts during his first two years in Madrid to convince Olivares to make a special exception for English merchants, the contest with this tax was not pursued with the same diligence and longevity as the cloth customs. Both cases however, illustrate the comparative economic power and relations of the two states. In both cases, Spain clearly held the upper hand in the supply-side, while England had a highly inelastic demand. Flemish merchants did not depend on English cloth so much as English merchants

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<sup>53</sup> Windebank to Gerbier, 27 August 1636, TNA SP77/26 f.258.

<sup>54</sup> Gerbier to Windebank, 6 September 1636, TNA SP77/26 f.261.

<sup>55</sup> Hopton to Dorchester, 18 February 1631, TNA SP94/35 f.165.

<sup>56</sup> *Ibid.*; Elliott, *The Count-Duke*, pp.415-418.

depended on the Flemish to buy theirs. This allowed Spanish and Flemish ministers to manipulate prices or customs duties as they saw fit, without worrying too much about consequences or reprisals. This disparity finds further confirmation in the fact that none of the Spanish residents in England during the same period ever lodged a single remonstrance regarding matters of trade, in contrast to the voluminous correspondence of Hopton and Gerbier on the matter. Necolalde was in fact sent to England with instructions to press for the return of the cloth staple to Antwerp if possible, but he was also given broad discretionary powers as to when or whether to introduce the matter. He never did, always believing his other business to be more pressing.<sup>57</sup> England could bluster away at the injustice of the rulings of the Council of Finances or similar customs bodies in Spain, but there was little that could really be done about it. As Gerbier noted, so long as the English merchants were willing to come sell their wares while disregarding unfavorable conditions, the conditions would be immutable.

## **II. Conflicts in Ports and Violence at Sea**

The ports of England, Spain, and Flanders maintained a brisk trade with each other and the constant movement of men and goods proved fertile ground for legal conflicts resulting in seizures of ships and merchandise. Gerbier and Hopton both started their residencies assaulted by the claims of merchants who had rushed into Habsburg ports as soon as the peace was signed and subsequently got into trouble with the Spanish

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<sup>57</sup> Necolalde to Philip, 22 November 1634, AGS E 2520 [unfoliated].

and Flemish government ministers. While merchants did occasionally approach the residents directly, they commonly filed complaints with the Privy Council in London which would then instruct the diplomats via the secretaries of state.<sup>58</sup> English merchants were stayed for carrying items listed on Spanish registers of prohibited goods, generally those originating from Spain's French or Dutch enemies. Inquiry and possible seizure of goods was also exercised if English vessels were known to be carrying cargoes to or on behalf of those countries. This was the case when Flemish officers embargoed an English ship in July 1634 for loading a large shipment of lead intended for Holland, which Gerbier unsuccessfully tried to argue was not necessarily intended as munitions.<sup>59</sup> Apart from prohibited goods, English merchantmen would also find themselves impounded for venturing where they were not permitted, most notably into Spain's American empire. Hopton was continually vexed with seizures of vessels and imprisonment of English sailors off Brazil which were very difficult to resolve given their falling under Portuguese jurisdictions that operated differently from those of Castile. To attempt to amend this situation, he requested that Spain sell licenses to English merchants to trade in Brazil legally, but this was flatly denied.<sup>60</sup> When Walter Aston arrived in 1635 to take over as ordinary ambassador, Hopton warned the new ambassador of the great burden he was assuming: "I have had soe many of the like businesses

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<sup>58</sup> Coke to Gerbier, 27 June 1634, TNA SP77/24 f.273.

<sup>59</sup> Gerbier to Coke, 7 July 1634, TNA SP77/24 f.287v.

<sup>60</sup> Council of State, 10 March 1633, AGS E 2520 [unfoliated].

already, which have alwise bin more hard the one for the other.”<sup>61</sup> Aston was overwhelmed upon arrival at the volume of the claims awaiting his attention, complaining that dealing with them consumed all his time and detracted from his other ambassadorial duties.<sup>62</sup>

The English were far more apt to find themselves running afoul of port authorities than did the Spanish or Flemish merchants. Indeed, the few times Englishmen seized Spanish cargoes, it was usually done at the behest of malcontented merchantmen in reprisal angered by unfavorable rulings of the Habsburg admiralty courts. Such was the case when Necolalde reported the embargo in June 1637 of a Portuguese vessel bearing 500 cases of sugar, seized in connection to an ongoing dispute Gerbier was undertaking with the Flemish admiralty.<sup>63</sup> The disparity did not go unnoticed at the time, and even Gerbier, Hopton, and Aston were forced to admit begrudgingly that the English merchants were often guilty as charged. Gerbier expressed his exasperation with the merchants:

its the ould course of many, apt to make much stirre to be defective either owne tailes to faile in their addresses and (after involved themselves) unadvisedly complaine of Princes States and Ministers, seldome looke backe to the cause of which I often touched, they should forbear the loading amongst free marchandises, munition and wares prohibited, as appear by the Articles of peace, which they soe often doe infringe as its noe wonder these reflect on their placcarts to confiscate for a smal quantity of forbidden comodities ships & goods though free<sup>64</sup>

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<sup>61</sup> Hopton to Coke, 28 November 1635, TNA SP94/37 f.274v.

<sup>62</sup> Aston to Coke, 1 February 1636, TNA SP94/38 f.27.

<sup>63</sup> Necolalde to Galarreta, 19 June 1637, AGR SEG 367 f.243.

<sup>64</sup> Gerbier to Coke, 28 July 1634, TNA SP77/24 f.309.



In a similar manner, Aston accused them of making his efforts on their behalf all the more difficult, saying “the Merchants greedines after gaine gives those Ministers so much colour for what they doe, that they bring a great deale of trouble uppon me and hazard uppon themselves.”<sup>65</sup> By Aston’s account, the innocent were thus made to suffer along with the guilty as the frequency of infractions cast suspicion on all English merchantmen, “whereuppon iust cause given by some there is Color taken for the molestations of those that have not deserved it,” leaving him to despair that some of the innocent would not see justice simply because he was too busy to sort out the genuine claims from the spurious.<sup>66</sup> Arthur Hopton, having returned as ambassador to Spain in 1639 found the situation in a graver state than when he left it four years prior, placing the blame in the predatory litigiousness of the Spaniards on the one hand, and the haphazard and lawless nature of English mercantile community on the other:

Trade which really is in very ill Estate for on one side the Jealousye of the present times, and the greate occasions for Monnye do oblige them to sett on foot many things without consideration of Justice, and on the other, our Trade is driven by Men of little Experience, disunited among themselves and directed by no Governement as the Trade of other kingdomes is in so mucche as by good Information I finde there is more Losse then Gayne which beeing accompanied with many Molestations is likely to bring the Trade to an ill End<sup>67</sup>

Merchants could also find themselves subject to other authorities than those they expected, producing some curious incidents. Englishmen in Milan had earlier found

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<sup>65</sup> Aston to Coke, 13 September 1636, TNA SP94/38 f.190v.

<sup>66</sup> Aston to Coke, 25 April 1637, TNA SP94/39 f.93.

<sup>67</sup> Hopton to Windebank, 13 September 1639, TNA SP94/41 f.170.

themselves accused before the Inquisition there for their Protestantism and Hopton had been sent with express orders to prevent similar occurrences in Spain. To this end he successfully obtained a royal *cedula* that exempted Englishmen from the Inquisition's jurisdiction in 1633.<sup>68</sup> Crypto-Judaism, however proved another matter. In 1635 Hopton labored for the release of some Scotsmen who were condemned to the galleys by the Inquisition because they were "found circumcised" and thus suspected to be Jews. Obtaining their release was difficult as Philip told Hopton he would not meddle in the affairs of the Inquisition, and moreover the Anglo-Spanish articles of peace did not apply to the ecclesiastical courts. Release only came when some Spanish churchmen were willing to produce declarations that the men had been circumcised by force and were in fact Christians.<sup>69</sup> Corresponding cases occasionally appeared in England, such as one protest lodged by the Flemish merchant Jean de la Vellette in January 1636. His wife gave birth to a new child while the couple was in London. Zealous Londoners tried to force Vellette to baptize the child in a Protestant ceremony which the merchant refused, also getting Necolalde to send a letter to Secretary Windebank to demand freedom of conscience for visiting merchants.<sup>70</sup> Later in 1637, Necolalde complained again to Windebank about Londoners trying to force Flemish and Spanish merchants in the capital

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<sup>68</sup> Hopton to Coke, 23 September 1633, TNA SP94/36 f.334v.

<sup>69</sup> Hopton to Coke, 4 May 1635, TNA SP94/37 f.169.

<sup>70</sup> Necolalde to Secretary of State of Great Britain, 14 January 1636, TNA SP94/38 f.7.

to attend Protestant sermons.<sup>71</sup> Nevertheless, these sorts of encounters were rare and consciences were generally respected.

By far the most prolific grievances on both sides of the Channel were violent attacks on shipping and the taking of ships for prizes. The Spanish, having resumed their war with the rebel northern Netherlands in 1621, and soon embroiled in a fresh conflict with the French in 1635, were especially vulnerable to attacks as their shipping moved through the English Channel. Olivares had realized the vital importance of these sea lanes both for trade and war transport and had strengthened Spain's North Sea naval assets accordingly.<sup>72</sup> The Dunkirkers' increasing successes earned them a fearsome reputation throughout the period.<sup>73</sup> By the end of the Anglo-Spanish War, Spain maintained a growing force of between 10 and 20 frigate-type vessels in the North Sea which was supplemented by numerous privateers and opportunistic armed merchantmen.<sup>74</sup> By the end of the decade the force of king's ships would reach 25.<sup>75</sup>

Despite the increases, the Armada of Flanders could not be everywhere, and many merchantmen found themselves targets of Dutch, and later French, raiders. Especially

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<sup>71</sup> Necolalde to WIndebank, 18 May 1637, TNA SP94/39 f.113.

<sup>72</sup> Elliott, *The Count-Duke*, pp.124-5; Stradling, *Armada of Flanders*, pp.16-36. ; Jose Alcala-Zamora y Queipo de Llano. *España, Flandes, y El Mar del Norte 1618-1639*, (Barcelona, 1975), pp.321-336.

<sup>73</sup> Stradling, "The Spanish Dunkirkers 1621-1648, a Record of Plunder and Destruction," as reprinted in Stradling, Ed. *Spain's Struggle for Europe*, pp.213-234. Stradling demonstrates that rates of prize-taking by the Dunkirk frigates rose steadily throughout the 1620s and early 1630s, reaching a high point in 1635, despite concerted efforts of the Dutch to blockade the Flemish coast. See also: R. Baetens, "The organization and effects of Flemish privateering in the seventeenth century," *Acta Historiae Neerlandicae*, 9, (1977), pp.48-75. Henri Malo, *Les corsaires dunkerquois et Jean Bart, des origines a 1662*, (Paris, 1912).

<sup>74</sup> Stradling, *Armada of Flanders*, Appendix 7.

<sup>75</sup> *Ibid.*

disagreeable to the Spanish was that many of these attacks happened in English territorial waters when Spanish and Flemish vessels were entering or exiting ports.<sup>76</sup> This was exacerbated by English refusal to allow the Spaniards to hunt Dutchmen in English waters, Charles not wanting his ports to become battlefields.<sup>77</sup> Henri Tailler, the Infanta's personal agent representing Flanders in the English court, was particularly invested in securing redress for these attacks. He found the Privy Council loath to allow the Flemish merchants any freedom to even defend themselves and complained that the ports of England were no longer neutral territory.<sup>78</sup> The Flemish merchants were not the only injured parties in these Dutch attacks, as even the London merchants occasionally employed Flemish or Spanish hulls to carry their own merchandise and submitted their own protests to Charles when these ended up as prizes.<sup>79</sup>

While the English consistently refused to allow the Dunkirkers the right to hunt for Dutchmen in English waters, the Spaniards and Flemish were disgusted at the lack of energy the English showed in defending their own maritime territory. In 1636, the Cardinal-Infante Ferdinand apprised his brother Philip of an incident in which four Spanish vessels were attacked and taken as prizes in the Downs while under the guns of an English coastal fort that did nothing to intervene.<sup>80</sup> Gerbier received complaints in

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<sup>76</sup> Wacquen to Necolalde, 30 December 1631, TNA SP77/20 f.364. For a description of the hazards to seamanship from armed raiders and enemy men-of-war, see: J. S. Bromley, "The North Sea in wartime," *Bijdragen en Mededelingen betreffende de Geschiednis der Nederlanden*, 92, (1977), pp.270-299.

<sup>77</sup> Tailler to Infanta Isabella, 19 August 1633, HHSA PC 65 f.196v.

<sup>78</sup> Tailler to Infanta Isabella, 23 September 1633, HHSA PC 65 f.214.

<sup>79</sup> Tailler to Della Faille, 29 July 1634, HHSA PC 65 f.330.

<sup>80</sup> Cardinal Infante to Philip IV, [undated] 1636, AGR SEG 214 f.600.

Brussels from dispossessed merchants as well as from the various Spanish officials, warning Secretary Coke that the Flemish merchants were incensed at being attacked within Charles's waters and thus "conceave not to be subject to censure for any barks they can take from the Hollanders in the same kind."<sup>81</sup> A merchantman who tried to defend himself often risked penalty, such as an incident Tailler described in which a Flemish merchantman came under fire from a smaller Dutch vessel while off the English coast. Overpowering his erstwhile attacker, the merchant suddenly found himself pursued by a second, larger Dutch ship. Running into an English port for protection, the hapless captain found himself arrested and his ship impounded for having violated English neutrality. Tailler expressed little hope for the ship's release given what he saw as the blatant favoritism the English authorities consistently showed to Dutch interests.<sup>82</sup> Being slow to respond to Dutch aggression in the Channel was one thing, but particularly disturbing for Spanish ministers were reports of English actively assisting their Dutch enemies such as one encounter in the Bay of Biscay in 1633 in which a Spanish vessel was pursued by a Dutchman. Signalling to a passing English merchantman for assistance, the Spaniards were horrified when the English instead helped drive them into the Dutch guns.<sup>83</sup> Incidents such as these would all eventually inspire Spanish ministers to seek a sounder footing for Anglo-Spanish maritime relations in the form of the maritime treaty that would be negotiated by Juan de Neocolalde in 1634.

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<sup>81</sup> Gerbier to Coke, 6 January 1634, TNA SP77/23 f.495.

<sup>82</sup> Tailler to Infanta Isabella, 15 October 1633, HHSA PC 65 f.224.

<sup>83</sup> Copy of a Memorial of Neocolalde to Charles I, [undated] 1633, TNA SP94/36 f.384.

The Dutch and French, the bane of Spanish shipping, for the most part left English vessels alone. English merchants were not free from all molestation, however, and were routinely subject to abuse from the Dunkirkers who also operated out of ports like Ostend and Nieuwpoort. Less notorious but no less vicious were the attacks of the ships from the Biscayan coast, based in Bilbao and San Sebastian, who would prey upon English and other vessels sailing between Northern Europe and the Mediterranean.<sup>84</sup> During the Anglo-Spanish War these and others had accustomed themselves to preying on English shipping without restraint and were given broad jurisdictional concessions by the Spanish crown to encourage the participation of the monarchy's best sailors in the *guerre de course*.<sup>85</sup> These measures were frighteningly successful during the war; Secretary Della Faille's correspondent estimated in January 1628 that England had lost nearly 200 ships and 5000 mariners during the preceding year to the Habsburg corsairs.<sup>86</sup> This estimate is consistent with findings of modern scholarship which posit that in the 1625-1630 period England lost over 300 vessels, possibly amounting to twenty-percent of England's total shipping.<sup>87</sup> Unsurprisingly then, when Gerbier crossed the channel to assume his station in 1631 he was charged with obtaining assurance from the Flemish

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<sup>84</sup> Alcalá-Zamora, *Mar del Norte*, pp.389-398. For more on the strong support given from Madrid to the Biscayan *armeurs*, see: R. G. Rivero, "La superintendencia de construcción naval y fomento forestal en Guipuzcoa (1598-1611)," *Anuario del derecho español* 56, (1986), pp.590-636. T. Guiard, *La industria naval vizcaína*, (Bilbao, 1986).

<sup>85</sup> Hopton to Portland, 10 July 1633, TNA SP94/36 f.304.

<sup>86</sup> Letter from X, 8 January 1628, HHSA PC 63 f.378.

<sup>87</sup> J. S. Kepler, "Value of ships gained and lost by English shipping industry during wars with Spain and France, 1624-1630," *The Mariner's Mirror* 59, 1973, pp.218-230. T. S. Willan, *English Coasting Trade, 1600-1750*, (Manchester, 1938), pp.25-30.

authorities that the Dunkirkers would be reined in and obliged to respect the articles of peace.<sup>88</sup>

While the treaty signed in 1630 theoretically made any attacks by Dunkirkers on English ships blatantly illegal, various extenuating circumstances were frequently admitted by Flemish courts as excusing particular cases from the articles of peace. One of Gerbier's first acts in Brussels was to protest the actions of a ship under a Biscayan Captain Matheo de Escalante who Gerbier maintained had flagrantly violated the peace by attacking an English vessel.<sup>89</sup> Escalante for his own part declared that though the ship was out of Dover, it was bound for Holland, and owned by a Dutchman. Furthermore, it was carrying ammunition and victuals, both prohibited commodities to carry to the King of Spain's rebels, and thus a good prize.<sup>90</sup> Gerbier would often attempt in his official remonstrances and memorials to refer baldly to the actions of the Dunkirkers as "piracy," but Secretary Della Faille always corrected these usages before the reports ever reached the desk of the Infanta.<sup>91</sup> Even English vessels not trading with Holland directly could run into trouble. The Admiralty courts of Dunkirk and Ostend both submitted statements to Gerbier informing him that English merchants were not permitted to trade in Hamburg, given that city's association with the rebel northern Provinces.<sup>92</sup> Any vessels bound for Hamburg, then could be taken by Dunkirkers and deemed legitimate prizes. While

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<sup>88</sup> Memoranda of Gerbier on instructions, 7 May 1631, TNA SP77/20 f.27.

<sup>89</sup> Gerbier to Dorchester, 5 December 1631, TNA SP77/20 f.247.

<sup>90</sup> Memorial of Matthew de Escalante, 15 September 1631, TNA SP94/35 f.288.

<sup>91</sup> Gerbier to Dorchester, 16 December 1631, TNA SP77/20 f.349.

<sup>92</sup> Gerbier to Secretary of State, 28 May 1632, TNA SP77/21 f.199v.

Gerbier and other English ministers could protest while pointing to the articles of peace, the Spaniards justified their actions by the same articles, which stipulated that neither England nor Spain would give aid to each other's rebels.<sup>93</sup> English merchants could charter to send their cargoes in Dutch vessels only at their own risk, for the Spaniards made no distinction between the owners of the hull and those of the cargo. The English proprietors of a shipment of salt that was captured in 1637 aboard the Dutch ship *Orange Tree* discovered this when, despite having Charles and Gerbier both appeal the matter to the Supreme Court of Admiralty in Brussels and directly to the Cardinal-Infante, the cargo was declared a good prize and never restored or compensated.<sup>94</sup>

Gerbier would complain bitterly of the Dunkirkers and their abettors in the courts throughout his tenure, calling them "men of that second Algier, Duncquerque,"<sup>95</sup> and sullenly warned that there was no way to bargain with or even threaten them for "the peace of Spaine being more needfull to the English then warres hurtfull to theise, in which time theise sea townes inrish themselves & the English navigation for traficq goeth to decay."<sup>96</sup> Occasionally the Spanish authorities would assure the English that the excesses would be curbed and rules and boundaries for actions firmly set.<sup>97</sup> The Marquis d'Aytona, during his stint as acting governor of the Spanish Netherlands in 1634, told Gerbier he would make sure the Dunkirkers were ordered to stay within the Articles of

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<sup>93</sup> Memoranda of Gerbier on Instructions, 7 May 1631, TNA SP77/20 f.29.

<sup>94</sup> Gerbier to President Roose, 10 June 1637, TNA SP77/27 f.224.

<sup>95</sup> Gerbier to Windebank, 8 October 1639, TNA SP77/29 f.372.

<sup>96</sup> Gerbier to Secretary of State, 30 March 1635, TNA SP77/25 f.92v.

<sup>97</sup> Council of State regarding remonstrance of Hopton on Biscayans, 21 September 1633, AGS E 2520 [unfoliated].



the Peace.<sup>98</sup> Earlier that same year Philip delivered a similar assurance to Hopton who had just protested the constant attacks made by Dunkirkers and Biscayans on shipping in the Irish Sea.<sup>99</sup> Gerbier placed little faith in any of these pronouncements, since according to the Flemish admiralty courts the Dunkirkers were operating “within the articles of peace.” Furthermore, Gerbier declared that the Spanish monarchy depended too much on the Dunkirkers in their maritime war with Holland and France to risk discouraging their activities: “by reason they serve to interrupt the hollanders free trade & therefore spare to crosse the said freebooters lesse to punish them for abusing his majesties subjects by rifling their ships & making price of their marchandises att which theise connive as much they can.”<sup>100</sup> In Gerbier’s view then, either Spain needed to come to the view that it was in her best interest to hold her corsairs on a tighter leash, or the Dunkirkers needed to be directly discouraged by English cannon-shot. Both of these purposes required an England strong at sea, a realization shared by the central planners of the Caroline administration. As these events continued it became clear that only a more active maritime policy on the part of England, both to counter the Dunkirkers themselves as well as hinder the efforts of the Dutch that provoked them, could bring about a state of affairs satisfactory to Anglo-Flemish maritime commerce. These considerations would be central to the emergence of the ship money policy that Charles introduced in 1635.

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<sup>98</sup> Gerbier to Coke, 4 August 1634, TNA SP77/24 f.328.

<sup>99</sup> Geronimo Villanueva to Hopton, 7 February 1634, TNA SP94/37 f.3.

<sup>100</sup> Gerbier to Secretary of State, 30 March 1635, TNA SP77/25 f.92v.

### III. Seeking Restitution of Ships and Goods

Once goods were seized in port or taken at sea, the long and difficult process of seeking restitution or compensation began. For the Spaniards, this process was in some ways simpler, if less likely to be successful. Spanish losses generally took the form of attacks and captures by Dutch men-of-war, and so restitution was a matter of diplomacy rather than litigation. Habsburg diplomats like Necolalde or Tailler could only pressure Charles to intervene with the Dutch to secure release of captured vessels, or secure promises of non-belligerency in the ports. The diplomats on site often received news of seizures and captures directly from the ports, as the attacks that came to their attention were always those that took place in English waters. In other cases, the aggrieved merchants themselves would file protests with the government ministers in Brussels or Madrid who would then draft letters to the Habsburg ministers in London to take the matter up with Charles and the Privy Council.

In one illustrative case that developed into an extended project, Jacques Van Walle, a merchant of Dunkirk, lost a ship he owned as part of a group taken by Dutch warships in English waters. Van Walle delivered a letter in April 1633 pleading for the Infanta to pursue the case and write to the king of England to secure restitution of his ship and goods, to which she agreed to offer what assistance she could.<sup>101</sup> The Infanta ordered Tailler to represent the case to Charles, and when he presented this request in tandem with the Spanish resident Necolalde, the two Habsburg emissaries were pleased to find

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<sup>101</sup> Della Faille to Infanta Isabella, 5 April 1633, HHSA PC 65 ff.77,79.

Charles equally angered at Dutch incursions in his territorial waters and received promises of full satisfaction.<sup>102</sup> Secretary Windebank took charge of the matter and suggested to Tailler and Necolalde that Charles was prepared to grant the Spanish the right to attack Dutch ships in English waters. Word of this reached the Dutch emissaries at court and their reports immediately provoked action in the Hague. While such a right would make the men of Dunkirk very happy, Tailler remained skeptical, saying the English efforts to keep Spanish friendship were limited by a refusal to ever actually put hand to sword, especially where it would damage their relations with the Dutch.<sup>103</sup>

The weeks that followed ushered in much uncertainty and Tailler described the Dutch at court as swollen with pride and presumption while the English showed little resolution,<sup>104</sup> and as he predicted, the Windebank quietly recanted the hinted offer of permission for Dunkirkers to operate in English waters.<sup>105</sup> Nevertheless the hint was enough, as the Dutch in August agreed to send emissaries to discuss the restitution of ships taken in English waters.<sup>106</sup> The English had their own bones to pick as conflict between the Dutch and English East India companies was on the rise.<sup>107</sup> Events such as the Amboyna massacre of 1623, in which Dutch forces had brutally removed an English

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<sup>102</sup> Infanta Isabella to Tailler, 15 April 1633, HHSa PC 65 f.78. Tailler to Infanta Isabella, 20 May 1633, HHSa PC 65 f.139v.

<sup>103</sup> Tailler to Infanta Isabella, 3 June 1633, HHSa PC 65 f.152.

<sup>104</sup> Tailler to Infanta Isabella, 1 July 1633, HHSa PC 65 f.164.

<sup>105</sup> Tailler to Infanta Isabella, 19 August 1633, HHSa PC 65 f.196v.

<sup>106</sup> *Ibid.* f. 196.

<sup>107</sup> Tailler to Infanta Isabella, 15 October 1633, HHSa PC 65 f.226.

settlement in the East Indies were still fresh in popular memory, and other trading rivalries and mutual antagonisms continued to build animosity between the two peoples.<sup>108</sup> While the negotiations between the English and Dutch commissioners would continue throughout the remainder of the year, they would not take much effect, either in regard to the feuding East India companies or to the cause of the Flemish merchantmen. Meanwhile, Van Walle remained without an answer and Tailler declared that despite all the talk, there was little sign from Zeeland that Van Walle's or any other ships would be restored.<sup>109</sup> Van Walle himself received only a letter from a Brussels secretary telling him that the government had done all that was possible on his behalf with the implied suggestion to stop inquiring.<sup>110</sup> Not all cases ended so poorly, although they rarely proceeded quickly. In one instance, after a suit lasting over three years, Necolalde and Tailler were able to secure compensation for some Portuguese merchants for a seized shipload of sugar, though this success was in part because the Dutch had tried to dispose of their prize in an English port, and thus fell subject to the English Admiralty.<sup>111</sup>

As in the case of the Portuguese sugar ship, dealings with Admiralty courts could drag on seemingly without end as decisions were appealed, overruled, and appealed again. The courts of Flanders and Spain were no speedier than those of England, and the

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<sup>108</sup> See: D. K. Basset, "The 'Amboyna Massacre' of 1623," *Journal of Southeast Asian History* 1, (1960), pp.1-19. Karen Chancey, "The Amboyna Massacre in English Politics, 1624-1632," *Albion* 30, (1998), pp.583-598. Jonathan Israel, "Competing Cousins: Anglo-Dutch Trade Rivalry," *History Today* 38, (1988), pp.17-22.

<sup>109</sup> Tailler to Infanta Isabella, 19 August 1633, HHSA PC 65 f.196v.

<sup>110</sup> Monsieur Cagellan to Monsieur Van Walle, 2 September 1633, HHSA PC 65 f.208.

<sup>111</sup> Tailler to Della Faille, 27 June 1634, HHSA PC 65 f.321.

long processes were a frequent complaint of English diplomats in both courts. Gerbier in 1633 issued a general letter to the English merchants in Flanders outlining the procedure for claims of injury, directing them first to the Admiralty Court of Dunkirk, then in appeal to the Supreme Court of Admiralty at Brussels. Knowing full well the great cost and hardship these long trials demanded, Gerbier offered his own services in appealing to the Infanta who theoretically possessed the power to expedite the procedures, though not to secure their outcomes.<sup>112</sup> Hopton complained similarly from Madrid to Secretary Coke that even his efforts for expedition were slowed, as the Council of State which granted expeditions would not view cases without endorsed copies of all relevant documents from the admiralty court that issued the original decision. When Hopton tried to provide the Council with copies of his own, they rebuffed him, “excusing the copying is impossible, and for expedition, if I shall be able to gett it seene in the Admirantazgo in one month, it would not bee seen in the Counsell of State in six.”<sup>113</sup>

These disputes were not always merely the private business of merchants, but in the right circumstances could turn into major diplomatic incidents affecting the relations of the two crowns. One example was that of an English ship laden with Virginia tobacco leaves that was taken at sea by Dunkirkers while en route to Holland in March 1635. Due to the immense value of the cargo, which weighed 150,000 pounds, the English crown took up the cause of its merchants and Secretary Coke immediately lodged a complaint

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<sup>112</sup> Gerbier’s Declaration for King’s Subjects at Dunkirk, 9 September 1633, TNA SP77/23 f.325.

<sup>113</sup> Hopton to Coke, 13 June 1635, TNA SP94/37 f.184.

with Necolalde.<sup>114</sup> Coke also dispatched orders to Gerbier to take all means possible to secure restitution of the tobacco. He instructed Gerbier to stress to the Cardinal-Infante that Spanish compliance in this matter would be accepted by Charles as a sign of good faith and honesty in other matters, alluding to the simultaneous negotiations concerning the Palatinate.<sup>115</sup> Gerbier quickly responded outlining the point of contention: the Spaniards justified the seizure and declared the cargo in violation of the articles of peace by identifying it as a victual, which being a form of assistance, was illegal to be carried to the King of Spain's rebels. Gerbier acknowledged that the idea of tobacco as a form of sustenance seemed laughable, but the seizure was grounded on a single decree of the late Marquis Ambrosio Spinola that had identified it as such, "the said Marquis being persuaded Tobacco a nourishment unto souljourns."<sup>116</sup> Coke sent Gerbier a declaration from some of Charles's legal scholars declaring tobacco a drug, not a victual, and Gerbier secured similar findings from various authorities in Flanders, including the theological faculty of the University of Leuven and an informal survey of soldiers of the English *tercio* in the Army of Flanders.<sup>117</sup> In what he felt was as unequivocal a statement as could be found, the Leuven schoolmen even declared that clergy and laity partaking of a smoke before mass did not violate the Eucharistic fast.<sup>118</sup>

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<sup>114</sup> Necolalde to Axpe, 9 March 1635, AGR SEG 364 f.276.

<sup>115</sup> Coke to Gerbier, 5 March 1635, TNA SP77/25 f.57v. For fuller treatment of the Anglo-Habsburg Palatinate negotiations see Chapter 4.

<sup>116</sup> Gerbier to Coke, 16 March 1635, TNA SP77/25 ff.59-59v.

<sup>117</sup> Gerbier to Chancellor of the Admiralty Court, 23 March 1635, TNA SP77/25 f.81.

<sup>118</sup> Notes on Tobacco, [undated] 1635, SP105/12 p.178.

Nevertheless, two months later, the Admiralty of Dunkirk upheld the validity of the confiscation, against all the opinions of lawyers, physicians, theologians, and soldiers.<sup>119</sup> Necolalde, writing on the matter from London, admitted to Secretary of State and War Martin de Axpe that the matter was never a question of establishing legal status of tobacco but of simple military expediency.<sup>120</sup> Appeals sent to Spain yielded no better fruit, Hopton writing back that the matter was deemed wholly in the jurisdiction of the admiralty courts of Flanders; hence it was fruitless to apply pressure in Madrid.<sup>121</sup> While the tobacco remained unsold (and that only through considerable effort from Gerbier) there was still hope, and the arrival of some English commissioners to settle the definition as victual or drug and to attempt to see the cargo safely delivered seemed to suggest an end favorable to English interests.<sup>122</sup> This was, however, not to be, and the Supreme Admiralty of Brussels finally determined in December to uphold the original decision and declared the tobacco a good prize.<sup>123</sup>

In an effort to promote a better response, Charles began making noises about issuing letters of marque to the dispossessed merchants to make good their losses.<sup>124</sup> Gerbier delivered a remonstrance to the Cardinal-Infante and his council warning them of Charles's considerations and assigning the blame firmly on the injustice of the Admiralty

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<sup>119</sup> Gerbier to Secretary of State, 25 May 1635, TNA SP77/25 f.157.

<sup>120</sup> Necolalde to Axpe, 13 April 1635, AGR SEG 365 f.5.

<sup>121</sup> Hopton to Coke, 6 June 1635, TNA SP94/37 f.178v.

<sup>122</sup> Gerbier to Secretary of State, 29 June 1635, TNA SP77/25 f.204v.

<sup>123</sup> Gerbier to Coke, 7 December 1635, TNA SP77/25 f.328.

<sup>124</sup> Necolalde to Cardinal Infante, 15 February 1636, AGR SEG 366 f.96.

court.<sup>125</sup> Gerbier reported that the Brussels Admiralty was not pleased and insisted to the end that it had judged the matter with justice and reason.<sup>126</sup> Other than outrage at Charles's decision, any reaction tending to redress was slow in coming from the Flemish courts and Gerbier noted in their procedure "a fatall slownes in their owne affaires & naturally inclined to keepe those of others under feete till parties tired & according their old Proverbe made good to be gainers by delays."<sup>127</sup> As April dawned, Gerbier found no further progress in the issue, noting also that no one in Brussels was interested in accepting responsibility for the business. President Roose of the Council of Brabant insisted that the final word lay with the Cardinal-Infante, who in turn remitted the issue to his Council.<sup>128</sup> The Council refused to alter the decision and protested Charles's issuing of letters of marque, which they interpreted as a violation of the jurisdiction of their Admiralty court. Their position was that in submitting the case to the Admiralty for review, the English had implicitly consented to its binding authority, and thus had no right to contest the final decision of the Supreme Court in Brussels.<sup>129</sup> Gerbier's irritation increased all the more when Roose's only suggestion was to nominate commissioners from both sides to further discuss the matter, and the Cardinal-Infante offered only empty words of support for a revision of the case.<sup>130</sup>

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<sup>125</sup> Remonstrance of Gerbier to Cardinal Infante, 8 March 1636, TNA SP77/26 f.68.

<sup>126</sup> Gerbier to Coke, 21 March 1636, TNA SP77/26 f.94.

<sup>127</sup> Gerbier to Coke, 4 April 1636, TNA SP77/26 f.103.

<sup>128</sup> Gerbier to Coke, 11 April 1636, TNA SP77/26 f.113.

<sup>129</sup> Gerbier to Coke, 18 April 1636, TNA SP77/26 f.122.

<sup>130</sup> *Ibid.* ff.122v-123.



The endless professions of good will and offers of new appeals and revision appear to have been inspired by a policy directive coming from the highest levels of power. In June, as Gerbier continued his efforts with Roose and the intransigent Admiralty, Philip wrote to the Cardinal-Infante telling him that he could not find fault with the Admiralty's conclusions, but "it seems here that this is no time to give any offense to the King of England before wanting to please him in greater things, therefore I charge you to treat this business with great attention and as a new matter, not as *res judicata*."<sup>131</sup> That this same letter included an exhortation to keep abreast of Charles's naval expansion program as well as attempt to learn its intended use was no coincidence, indicating that both the Ship Money fleets and the issuing of letters of marque were having their desired consequences.<sup>132</sup> The Cardinal-Infante and various ministers would suggest a review and new ruling for the tobacco case off and on as the years went by, but no actual amendment or formal restitution ever occurred. Finally, Charles issued the letters of marque as threatened and in June 1637 two Antwerp ships were captured at sea as reprisal.<sup>133</sup> These in turn ignited a whole new round of legal processes in English Admiralty courts that were still underway in January 1639.<sup>134</sup> The matter was never fully put to rest during the period of this study and would readily be invoked by representatives of both sides as evidence of the slipperiness of the other.

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<sup>131</sup> Philip to Cardinal Infante, 13 June 1636, AGR SEG 214 f.562.

<sup>132</sup> Ibid. f.562v.

<sup>133</sup> Gerbier to Boswell, 20 June 1637, TNA SP77/27 f.236.

<sup>134</sup> Cardinal Infante to Cardenas, 12 January 1639, AGR SEG 369 f.12.

#### IV. The 'English Road'

One area where England enjoyed a more advantaged position was with regard to Spain's dependence on English good will to enable and facilitate the communications between Madrid and Flanders. The Army of Flanders was in constant need of supplies, reinforcements, and most especially money to continue its war against the rebel northern Netherlands. The traditional 'Spanish Road' that ran from Milan to Brussels had worked effectively to allow the Spaniards to move men and material overland, but by the 1630s the route was full of peril.<sup>135</sup> Spanish involvement in the Thirty Years War, particularly the occupation of the Lower Palatinate, was based in part on a desire in Madrid to guarantee that the Spanish Road would remain open. Sweden's entry into the war in 1630 and the rapid successes of Gustavus Adolphus's army immediately threatened the overland route, periodically closing it, especially as Swedish troops entered the Palatinate in 1632.<sup>136</sup> Spanish and Flemish merchants would make frequent use of England, Dover in particular, as the "exchange of Christendom" to vent their goods in a safe port, and also employ English vessels to transport them safely through French- and Dutch-infested

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<sup>135</sup> Geoffrey Parker, *The Army of Flanders and the Spanish Road, 1567-1659* (2<sup>nd</sup> Edition.), (Cambridge, 2004), pp.218-219.

<sup>136</sup> Geoffrey Parker, Ed., *The Thirty Years War* (2<sup>nd</sup> Edition), (London, 1997), p.116.

seas.<sup>137</sup> What was good for merchants was also good for governments, and it would not take long for Madrid and Brussels to seek the same advantages.

In 1631, when normal diplomatic channels reopened between Spain and England, diplomatic residents in both countries found their business greatly hampered by the unreliability and slow pace of the mail connections between London and Madrid. With lack of direct links, Hopton was forced to send his early dispatches via the Spanish post for Flanders, which he called “but a slowe convayance and wilbe a cause that his Majesties businesse will have ill dispatch.”<sup>138</sup> The dependence on Flanders as the hub for Spain-England mail services wore heavily on both sides, and in 1633 Tailler received an initial proposal from the English master of posts to establish a more efficient courier system between England and Flanders. Tailler asked his superiors to take it into consideration, stating that he and Necolalde were both much inconvenienced by the long delays in their letters.<sup>139</sup> These conditions only worsened as the years progressed, and the land routes to Flanders (and thence to England) became more and more inaccessible. The Cardinal-Infante, who had been designated to take over as Governor of the Spanish Netherlands since 1631, would not actually arrive in the country until 1634 in part due to the extreme difficulty in traversing the hostile terrain of central Europe which by then was only possible at the head of a large army. Even bolstered with the considerable force

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<sup>137</sup> J. S. Kepler, *The Exchange of Christendom: The International Entrepôt at Dover, 1622-1651*, (Leicester, 1975). Harland Taylor, “Trade, Neutrality, and the ‘English Road, 1630-1648,’” *The Economic History Review* New Series Vol. 25, (1972), pp.236-260. Alcalá-Zamora, *Mar del Norte*, pp.352-357.

<sup>138</sup> Hopton to Secretary of State, 27 March 1631, TNA SP94/35 f.173.

<sup>139</sup> Tailler to Della Faille, 28 January 1633, HHSA PC 65 f.32v.

that he would command victoriously at Nordlingen, the Cardinal-Infante's progress was a miserable crawl.<sup>140</sup> Departing from Milan in July 1634 with 15,000 men, he did not arrive in Brussels until November that year.<sup>141</sup> The English, concerned about the precarious state of affairs in Flanders and hopeful that Philip's brother would take a strong hand in assisting negotiations for the Palatinate, were eager to see the Cardinal-Infante arrive in Brussels to fill the vacuum left there since the Infanta Isabella's death in late 1633. On this occasion they took the opportunity to first suggest to Necolalde that they could arrange regular maritime transport between Spain and England, even offering to bring the Cardinal-Infante to Flanders on one of Charles's ships. At that time, matters were not so dire as they became later, and Necolalde only politely agreed to pass the offer on to Madrid.<sup>142</sup>

By mid-1635, when France joined the war against Spain, the Spanish Road was all but closed and even the sea routes through the English Channel and Bay of Biscay were filled with menace for Spanish shipping. In June, Tailler reported that Spanish courier vessels from Flanders were being chased into English ports before they could slip away to Spain, and he advised his superiors, "it would be better if such dispatches were not embarked in our boats or vessels but instead in English ships." Apart from their far-reaching naval presence, Tailler warned that the Dutch also had spies in all the English

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<sup>140</sup> Parker, *Thirty Years War*, pp.119, 153. Parker, *Army of Flanders*, pp.66-67. Necolalde to Axpe, 17 February 1634, AGR SEG 364 f.74.

<sup>141</sup> Parker, *Army of Flanders*, p.66. Gerbier to Coke, 10 November 1634, TNA SP77/24 f.442.

<sup>142</sup> Necolalde to Cardinal Infante, 3 March 1634, AGR SEG 364 f.88.

ports to alert their ships when Spanish vessels were putting to sea.<sup>143</sup> By August, Necolalde was routinely sending his mail on English ships and often had to pay very heavily for the service as the English merchant captains knew the charter made them targets of the French and Dutch and fixed the price accordingly.<sup>144</sup> Sending his mail in English hulls became the only viable method for the next several months, and during that time, Brussels would even send their own correspondence to Necolalde, asking him to forward it on to Madrid in the safer holds of English merchantmen.<sup>145</sup> Whenever Spanish officials or noblemen needed to travel between Madrid and Flanders, the Spaniards were forced to request that Charles provide ships and escorts for their personnel. Even in more frivolous cases such as one in which the Cardinal-Infante wanted to send a gift of several horses to his brother the King of Spain, English shipping was the only viable option.<sup>146</sup> In the face of these increasing challenges Madrid began to reevaluate the long-term usefulness of an “English Road” that would allow their cargoes to move freely and securely in the holds of English vessels with the express leave and protection of the English crown.<sup>147</sup>

As early as 1631, Hopton had reported that among the Spaniards there was great interest to make use of English shipping, “because [the English] have soe well defended themselves against the Turkes uppon this coast as [the Spanish] thinke nothing safe but

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<sup>143</sup> Tailler to Della Faille, 1 June 1635, HNSA PC 65 f.417v.

<sup>144</sup> Necolalde to Axpe, 31 August 1635, AGR SEG 365 f.205.

<sup>145</sup> Necolalde to Axpe, 23 May 1636, AGR SEG 366 f.265.

<sup>146</sup> Necolalde to Galaretta, 11 July 1636, AGR SEG 367 f.16.

<sup>147</sup> Kepler, *Exchange of Christendom*, pp.52-62.

what is in an English bottom,” and Hopton hoped to arrange an exchange of English freight services for a relaxation of the salt tax levied on foreign merchants in Spain.<sup>148</sup> At that early stage, however, neither government showed sufficient interest in a formal agreement to establish such a system and the question fell aside. During this period, Spanish employment of English carriers was ad hoc, short-term, and irregular. When the communications between Spain and Flanders were almost entirely severed in the aftermath of the French declaration against Spain, Spanish policy shifted towards seeking a more permanent and regular carrying service via England. In June 1635, Hopton became aware of Spanish interest in a project for “placing some vessells in this coast, and (with his Majesties leave) some on that of England for the ready convayance of their packete”; this was to be the nucleus of a regular mail service between England and Spain that would operate under English protection.<sup>149</sup> Hopton evidently took some initiative in trying to arrange this, as he sent a dispatch to Necolalde in London proposing for the mail to be carried on Charles’s own vessels, with three to be stationed in A Corunna and another three in Plymouth. Necolalde admitted that this arrangement would be a definite improvement over the status quo, but was disinclined to put much stock in it, perceiving it to be Hopton’s brainchild and not hearing anything similar from Charles or his secretaries of state.<sup>150</sup>

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<sup>148</sup> Hopton to Coke, 18 June 1631, TNA SP94/35 f.249v.

<sup>149</sup> Hopton to Coke, 19 June 1635, TNA SP94/37 f.198.

<sup>150</sup> Necolalde to Axpe, 13 August 1635, AGR SEG 365 f.195.

The Spanish government, however, remained thoroughly interested, and Olivares even began to think the establishment of an English postal service could increase the likelihood of England and the Netherlands coming to blows.<sup>151</sup> In December 1635, the Council of State in Madrid approved of sending the Count of Villamediana to England in capacity as extraordinary ambassador with the special charge to provide for the better and more frequent communication between the provinces of Flanders and Spain.<sup>152</sup> Villamediana, the son of the Count of Oñate and a member of the Tassis family of Imperial postmasters, was well-qualified for organizing the mail service. It was still sometime before the project began to move, and the count's orders were not formulated until May 1636.<sup>153</sup> Shortly after his arrival in England in October that same year, Villamediana reported his orders to the Cardinal-Infante, stating that he had been instructed to establish a regular courier service between Flanders and the Channel ports of England and between England and Spain, all using English vessels.<sup>154</sup> Villamediana, locating himself in Chelsea, rarely exercised any ambassadorial functions, much to the displeasure of Coke and Windebank, and spent much of the following two years chartering merchantmen on a limited, individual basis for sending dispatches between English and Spanish ports. By the time he would leave in June 1638, he had finally

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<sup>151</sup> Council of State, 26 June 1635, AGS E 2520 [unfoliated].

<sup>152</sup> Council of State, 24 December 1635, AGS E 2520 [unfoliated].

<sup>153</sup> Philip to Cardinal-Infante, 12 May 1636, AGR SEG 214 f.386.

<sup>154</sup> Villamediana to Cardinal Infante, 31 October 1636, AGR SEG 380 f.52.

succeeded in brokering a deal with Charles's Master of Posts that he entrusted to the newly arrived resident Alonso de Cardenas to conclude.<sup>155</sup>

Cardenas was surprised to be charged with this task, as the matter had been kept secret in both courts, evidently stemming from Charles's desire to prevent the French or Dutch from taking offense at his participation.<sup>156</sup> The Secretary of State and War Miguel de Salamanca wrote back exasperated that Villamediana had failed to share any information with Cardenas, but he urged Cardenas to conclude the agreement as quickly as possible as the hitherto alternative overland mail route through France had just been finally and indefinitely sealed off.<sup>157</sup> Prior to this, Brussels and Madrid had enjoyed tenuous links overland through the assistance of the Papal nuncios in both Habsburg capitals and in Paris. But as Papal attempts to mediate a Franco-Spanish peace came to an end in 1638, this window was shut.<sup>158</sup> Things moved along, and within a month Cardenas reported that the English were prepared to dispatch a well-armed frigate between Spain and Plymouth every 15 days.<sup>159</sup> Pleased with the offer, the Cardinal-Infante authorized Cardenas to conclude the agreement and settle prices.<sup>160</sup>

A complication arose because the master of posts Thomas Witherings, with whom Cardenas had been negotiating, had taken ill and was bedridden at his house some 60

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<sup>155</sup> Cardenas to Salamanca, 18 June 1638, AGR SEG 368 f.29.

<sup>156</sup> *Ibid.*

<sup>157</sup> Salamanca to Cardenas, 26 June 1638, AGR SEG 368 f.41v.

<sup>158</sup> Hopton to Coke, 17 July 1638, TNA SP94/40 f.123.

<sup>159</sup> Cardenas to Salamanca, 16 July 1638, AGR SEG 368 f.78v.

<sup>160</sup> Salamanca to Cardenas, 7 August 1638, AGR SEG 368 f.105.



miles from London.<sup>161</sup> In the meantime, Cardenas continued to employ English merchantmen bound for Spain to send his own mail and also the Flanders packets forwarded to him by the Secretary of State and War Miguel de Salamanca.<sup>162</sup> Witherings recovered soon enough, but the conclusion of the agreement was still postponed because the secretaries of state were delaying the paperwork to launch the first frigate.<sup>163</sup> The reasons became clear when the secretaries of state told Witherings that there was no money to provide for these regular frigate voyages.<sup>164</sup> By this point, Charles's troubles with the Scottish rebellion required the mobilization of the militia, and money was in scant supply. Over the following months, Cardenas continued to make efforts, and eventually tried to get Charles's permission to contract some English frigate captains for Spanish service, at no cost to the English crown.<sup>165</sup> Charles never granted the final permission for the arrangement as he was increasingly busy with Scottish affairs. The events of the Battle of the Downs and its aftermath in the second half of 1639 later eclipsed the entire negotiation, prompting Spain to seek alternative methods of securing the Channel passage. While the mail was never fully stopped due to the persistence of the Spanish and Flemish frigates and the ready availability of English merchantmen, the desire to establish a regular mail service under English auspices was doomed never to bear fruit.

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<sup>161</sup> Cardenas to Salamanca, 13 August 1638, AGR SEG 368 f.110.

<sup>162</sup> Cardenas to Salamanca, 10 September 1638, AGR SEG 368 f.132.

<sup>163</sup> Cardenas to Salamanca, 1 October 1638, AGR SEG 368 f.151.

<sup>164</sup> Cardenas to Salamanca, 8 October 1638, AGR SEG 368 f.157.

<sup>165</sup> Cardenas to Salamanca, 15 April 1639, AGR SEG 369 f.117.

A more successful arrangement that lasted throughout the decade was for the transport of silver from Spain to Flanders, stopping in England along the way for taxation and minting. This system had been established in 1630 by Francis Cottington and Olivares concurrently with the peace negotiations in Madrid. Spain's war effort in Flanders and Germany could not persist without money and the silver shipments to Flanders were far too vulnerable and the prospect of their loss far too disastrous. In the system established in Madrid, silver that had safely made the Atlantic crossing from mines in the Americas would be loaded on English ships and carried to Dover. Once there, two-thirds of the silver would be minted and remain in England while the Spanish received bills of exchange for the equivalent amount, also paying a seignorage on the minted silver. The remaining one-third was shipped to Dunkirk, again on English ships.<sup>166</sup> By this means, Spain could pay its military expenditures in Flanders, while England benefitted from increasing stores of bullion and collecting re-export duties from the shipments bound for Flanders. Although the flow of the silver was mutually beneficial to each government, it was not exempt from contention and the English would occasionally impound the silver shipments, threatening to seize the whole lot for Charles's treasury. These threats were intended to accomplish various ends, most often to apply pressure on Spain at tenuous moments in the Palatinate negotiations, or in the interest of restitution disputes like the extended tobacco case discussed previously. These interruptions would immediately provoke action from merchants whose fortunes rode

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<sup>166</sup> M. J. Havran, *Caroline Courtier: the life of Lord Cottington*, (London, 1973), pp.97-102. Kepler, *Exchange of Christendom*, p.37. Kevin Sharpe, *The Personal Rule of Charles I*, (New Haven, 1992), p.91. Taylor, "English Road," pp.240-242.

with the silver and would usually bring enough pressure to bear on both London and Madrid to bring about the release of the silver.<sup>167</sup> Sometimes the stays were motivated with more immediate needs in mind. Secretary Coke once hatched a plan to increase Charles's revenues by levying an additional 1.5 percent tax on the silver, which Necolalde protested was contrary to the agreement made between Olivares and Cottington at the time of the peace. Coke backed down only when Secretary Windebank took the Spanish position and produced documents from the 1630 negotiations that invalidated the measure.<sup>168</sup> This traffic was not unnoticed by third parties and the French and Dutch ambassadors would routinely complain of Charles's assistances offered to the Spaniards, though they enjoyed little success in stopping them as England did truly benefit from the arrangement and generally sought to keep Spain's good will for the Palatinate case.<sup>169</sup>

The chief benefit and the reason Charles never followed through with threats to seize the silver shipment was that the arrangement provided the royal treasury with a source of revenue it would otherwise lack. In promoting the use of England as a re-exporting hub, Dover became an entrepôt for all manner of goods from Spain, generally colonial products from America and the Pacific. As all these goods passed through

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<sup>167</sup> Necolalde to Axpe, 15 March 1636, AGRSEG 366 f.154. Kepler, *Exchange of Christendom*, p.52-54, 82.

<sup>168</sup> Necolalde to Galaretta, 29 August 1636, AGR SEG 367 ff.67-68. For the interaction of Necolalde with the pro-Spanish party in the Caroline court which helped secure this retraction see: A.J. Loomie, "The Spanish faction at the court of Charles I, 1630-1638," *Bulletin of the Institute of Historical Research* 59, (1986), especially pp.43-46.

<sup>169</sup> Necolalde to Cardinal-Infante, March 1636. AGR SEG 366 f.167. Necolalde to Galaretta, 29 August 1636, AGR SEG 367 f.69.

Dover, many of them bound for ports in which Spanish merchants would be unwelcome, they were subject to re-export duties which enriched Charles's treasury.<sup>170</sup> For example, while Charles earned a profit of 4,978 pounds sterling from minting silver in 1638 and a further 7,830 pounds sterling from its re-export to Flanders, he raised 22,550 pounds sterling on re-export revenues on non-silver goods during that same year.<sup>171</sup> The expansion of English trade and the ballooning of the customs revenues was a rich prize and the English agents in Spain did all they could to assist the broadening of the English Road. Hopton wrote glowingly of the developments in 1633:

The assentistas for Flanders are preparing to send more money by the way of England and I am of opinion that if there were att the arrival of every fleet foure or six good English ships att St Lucar or Cadiz fitt to returne presently (which might bee continued by the way of trade) the greatest part of the treasure that comes from the Indyees would goe for England for it is certainly the readiest & cheapest way, & they repaire only inthe danger. This to my seeming is a point worthy the considering of, both in regard of the opportunity that is now offered, as alsoe for the unspeakable benefit it would bee to his Majesties dominions, as appeeres by the wealth of Italy, which is the greatest of any part of Europe, and hath bin caused by the money transported thether<sup>172</sup>

Coke shared Hopton's optimism and noted the great increase in maritime traffic in English ports, "which may not only increase our navigation but our trade. And this course wil probably be encouraged or checked by the libertie of transporting their monies to their dorer. And happily the benefit of the customs of their goods wil bee greater then

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<sup>170</sup> Kepler, *Exchange of Christendom*, pp.37-38. Taylor, "English Road," pp.243, 249-250.

<sup>171</sup> Kepler, *Exchange of Christendom*, Appendices E, H.

<sup>172</sup> Hopton to Coke, 30 July 1633, TNA SP94/36 f.318.

can be expected by the mint.”<sup>173</sup> Always eager to increase these extra incomes, Coke sent Aston to Spain with express instructions to propose the Spaniards allow the English legally to import normally forbidden French and Dutch goods into Spain, “whereby as they shall be furnished with commodities they cannot want. So their enemies shall be deprived of that Trade, which enableth them to make warre.”<sup>174</sup>

While the customs revenues gained by the traffic in Dover of Spanish and Flemish merchants formed the most lucrative aspect of the English Road for the English, the silver conveyance remained the crux, and any complications to that central conveyance always threatened to undo the whole system. The occasional stoppage by Charles of the Spanish silver in English ports, for whatever reason, immediately provoked orders from Madrid to cease loading the silver on English ships.<sup>175</sup> In these instances the English resident, hounded by the English captains, would be hard pressed to placate the Spaniards, although there was often little to do but wait for news of the release of the stoppage in England.<sup>176</sup> A charter for carrying Spanish silver would pay handsomely, and English merchants were so eager to be contracted that they would regularly inquire with the English ambassador to know if any opportunities were forthcoming, sometimes maintaining station on the Spanish coast for extended periods in the hopes of obtaining a contract. Such was the case when one Captain Mennes tarried

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<sup>173</sup> Coke to Hopton, 21 February 1634, TNA SP94/37 f.5.

<sup>174</sup> Instructions for Aston, 9 June 1635, TNA SP94/37 f.190.

<sup>175</sup> Aston to Coke, 7 February 1637, TNA SP94/39 f.25.

<sup>176</sup> Aston to Coke, 25 February 1637, TNA SP94/39 f.35v.

three months on the Spanish coast on rumors from first Aston, then Hopton, that the *assentistas* were preparing a consignment for Flanders, but Hopton finally apologetically wrote to him that he had been mistaken.<sup>177</sup>

The English diplomats in Spain also had to keep a sharp lookout for opportunistic English merchants who connived with the Spaniards to bypass the stop in England and cheat Charles of his revenues. In 1633, Hopton wrote saying he had taken strong measures to discourage the Spanish crown's Genoese bankers from shipping silver without stopping in England, "saying it is an illegal way, subject to danger from his Majestie and wholly exempted from his Royall protection."<sup>178</sup> So important, however, was the customs revenues from the non-silver related mercantile activities that Hopton was advised not to press the *assentistas* too hard on these matters, for fear of their revoking the whole arrangement.<sup>179</sup> Nevertheless, the English captains were Charles's subjects, and their willful flouting of his laws could not be completely ignored. Reporting of names of offenders to London combined with constant vigilance in the ports became the English diplomats' standard protocol for dealing with these violations.

Windebank alerted Gerbier in 1637 to be on the watch for an English captain named Brookes who had contracted to carry silver and munitions between Spain and Flanders without stopping in England.<sup>180</sup> As a diplomat in a foreign court, Gerbier lacked

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<sup>177</sup> Fanshawe to Mennes, 30 June 1638, TNA SP94/40 f.109. Aston to Mennes, 13 July 1638, TNA SP94/40 f.121. Hopton to Mennes, 18 August 1638, TNA SP94/40 f.172.

<sup>178</sup> Hopton to Coke, 18 November 1633, TNA SP94/36 f.361v.

<sup>179</sup> Taylor, "English Road," p.245.

<sup>180</sup> Gerbier to Windebank, 24 January 1637, TNA SP77/27 f.13.

the personal authority to legally stay the men at Dunkirk and his spies among the merchants there were violently chased out of the port so he could not be sure when Brookes departed. With limited options, Gerbier could only alert Charles's ships in the Channel that Brookes was expected to leave Dunkirk imminently, and in company of a Dutchman resident of Dover who was his accomplice.<sup>181</sup> A long waiting game ensued over the next several days with Gerbier trying to get news out of the port to ascertain Brookes's whereabouts. He learned a few days after the fact that Brookes had set sail, eluding the English patrols and adopting a bit of legal fiction to cloak his venture by temporarily giving his ship over to a Dutch-born mate of his and taking a demotion to steersman for the duration of the voyage.<sup>182</sup> Brookes's departure in company with several Dunkirker frigates implied more than passive involvement on the part of the Spaniards. In Spain, Hopton suspected that part of the frustration of Captain Mennes's hopes to get a silver contract lay in the Spanish officials' collusion with these unscrupulous English, noting "I am doubtfull of them because the Assentistas have refused to send their money in his Majeties ships which I knowe they would not doe unlesse the merchants did serve their turnes better."<sup>183</sup> The quantities shipped in this manner are difficult to determine, but Vice-Admiral John Penington estimated that in the last four months of 1635 alone, at least 300,000 pounds sterling-worth of silver had passed directly to Dunkirk in English vessels. This coincided with a dramatic decline of

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<sup>181</sup> Gerbier to the Captains of King's Ships off Flanders, 4 February 1637, TNA SP77/27 f.31.

<sup>182</sup> Gerbier to Windebank, 28 February 1637, TNA SP77/27 f.73.

<sup>183</sup> Hopton to Windebank, 1 September 1638, TNA SP94/40 f.196.

nearly fifty-percent in the coinage produced by the mint during that same year.<sup>184</sup> Despite the stark drop noticed in 1635, the trend was for an overall increase of the silver arriving in England during the decade. J. S. Kepler's statistics of the English mint show that the amount of silver coined in 1631 amounted to 1,629 pounds troy, rising at a more or less regular rate to 160,487 pounds troy by the end of 1640.<sup>185</sup> As these amounts would represent only two-thirds of the total silver arriving in Spanish vessels, it is clear that despite the employment of illicit carriers like Brookes, the Spaniards were nevertheless making good use of the official means.

## V. Conclusion

Charles's search for advantage and opportunity at sea would not be found in either economic might or the carrying trade. In matters of trade and restitution of seized goods, the Spaniards demonstrated clear consciousness of their commanding position in the heights of Flanders. So long as the English economy remained invested in the cloth trade they would be bound to the cities of Flanders to turn their profits, and thus the Spanish authorities were accorded ample space in which to press for their own advantages without worrying too much about the consequences of angering the English. The English simply needed Flanders too much to risk being barred from its markets. Flanders thus became the critical link which bound the two crowns together during the

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<sup>184</sup> Kepler, *Exchange of Christendom*, p.53.

<sup>185</sup> *Ibid.* Appendix H.



period, a fact not lost on either side. Spaniards knew that peace and friendship with England was built on the medieval foundations of the Anglo-Flemish cloth industry, and consequently the continued possession of Flanders was the means as well as the end of their policy towards England in the period. The plot to separate Flanders from Spanish obedience and place it under an English protectorate discussed in the Chapter 3 stemmed in no small part from Charles's interest in breaking free of the mechanism of diplomatic control that subsisted in the textile cities of Flanders.

Similarly the great increase in England's commercial traffic that came as a result of the English Road was simply too valuable to the English state, especially given the share the customs duties represented in Charles's revenues during the cash-hungry personal rule. While Charles occasionally toyed with seizing Spanish silver in compensation for some of the merchandise compensated by the Flemish admiralty courts, none of these incidents ever seriously threatened the arrangement. The Spanish knew all they had to do was threaten to revoke the silver *assiento* and England would be compelled to fall into line. While what Spain offered for English fortunes was unique, Spain was not similarly constrained to seek exclusively English carriers for its maritime traffic. Indeed in 1647, when the raging civil war forced the closure of the English Road, the Spanish *assentistas* turned to the Dutch of all people to convey their goods to Flanders.<sup>186</sup>

In these circumstances it became clear to Charles and his ministers, both at home and abroad, that England would need to cultivate a strong and active naval presence of

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<sup>186</sup> Kepler, *Exchange of Christendom*, pp.85, 90.

her own if she wished to defend her shipping against the attacks of Dunkirkers and cause the Spaniards to take Charles more seriously as a major power in the region. Throughout this chapter, there have been numerous allusions to the famous writs of ship money, which would be the instrument by which Charles would attempt to tip the scales of diplomacy in his favor. Apart from the commercial and security interests discussed above, Charles also had pressing diplomatic objectives on the Continent, most notably the cause of his sister and nephews and the Palatinate, which only an England strong at sea could pursue.

## **Chapter 2: The Maritime Treaty, Ship Money, and the Sovereignty of the Seas**

The preceding chapter discussed the ample disadvantages which characterized English maritime and commercial relations with Spain and Flanders in the aftermath of the Anglo-Spanish war of 1625-1630. English merchants found themselves subject to novel taxes, which neither their government nor their commerce carried sufficient weight to repeal. Their ships were frequently targeted by corsairs operating from the northern coast of Spain or the ports of Flanders and their cargoes subject to seizure and confiscation. While Gerbier complained that the merchants like Edward Misseldon “care not whether matters goe smooth or ruffe betweene states,” and enabled these injustices by continuing to trade in Spanish ports despite them, the English government could not be so easily resigned. Apart from the harassment of the Dunkirkers, Charles also found ample cause for complaint in the brashness of Dutchmen who felt no compunction in assaulting Spanish and Flemish vessels in English waters. Both of these perils, as well as his own grander visions for English power projection would lead Charles to devote much of his resources in the 1630s to a great naval expansion program.

Eager to help secure their own shipping from the attacks by Dutch raiders, the Spaniards were not opposed in principle to English naval might in the North Sea and Channel, especially when at first they imagined such a force could be securely fitted to their interests. These hopes in Madrid gave rise to discussions between Spain and England in 1634 for a maritime treaty which bore many features of a limited military alliance. It was Spanish desires to sharpen these features with the intent of inducing

England to join their war against the Dutch that ultimately lead to the failure of the agreement to come to fruition and for Charles to resolve on the independence offered in the ship money writs. Spain's policy throughout the period thus alternately sought to maintain England in secure neutrality and tried to procure the English fleet's assistance against the Dutch in the Channel and North Sea. Charles's fleets would never give him the influence he desired because he was bound by realistic appraisal of the limitations ship money in funding a full-fledged war as well as his own timidity that prevented him from ever exploiting Spanish apprehensions about his intentions.

While the ship money has long been studied as a classic case of the imposition of Charles's personal rule on the kingdom of England, and thus is more current with regard to domestic matters than foreign, it was definitely constructed with foreign policy in mind.<sup>1</sup> For Charles, England's naval rearmament was not merely to protect his investment in the "English Road," but also marked his attempt to re-assert himself in European diplomacy through the cultivation of naval might in the seaways of Northern Europe. The hallmark of this project was Charles's claim of the "sovereignty of the seas," which he interpreted as giving him jurisdiction and rightful domain in all the waters around Britain, extending even to the very coastlines of the Continent.<sup>2</sup> While previous English monarchs had claimed and even successfully defended rights over

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<sup>1</sup> Sharpe, *The Personal Rule*, pp.552-600. The payment and contesting of ship money is the subject of numerous county studies and works emphasizing court-country dichotomies. Among these: Anthony Fletcher, *County Community in Peace and War: Sussex, 1600-60*, (London, 1975). Ann Hughes, *Politics, Society, and Civil War in Warwickshire, 1620-1660*, (Cambridge, 1987). John Morrill, *Revolt of the Provinces: Conservatives and Radicals in the English Civil War, 1620-1650*, (New York, 1975).

<sup>2</sup> Thomas Fulton, *The Sovereignty of the Sea*, (London, 1911), pp.209-245. S. R. Gardiner, *History of England*, Vol. VII., (London, 1883), p.358.

various contested fisheries in the North Sea and Channel, Charles's claims were by far more extravagant than any of these. Spanish ministers tended to take a dim view of these pretensions, respecting them only insofar as England displayed any ability to substantiate them. As the fleets funded by the ship money increased in size with each year between 1635 and 1639, Charles continued to press for international recognition of his claimed sovereignty. Finally, in the Battle of the Downs in 1639, the failure of Charles's naval experiment was laid bare when a Dutch fleet entered English waters with impunity and savaged a Spanish armada that was in theory under Charles's protection.

### **I. Necolalde and the Maritime Treaty**

With the ever-mounting importance of the English Channel as a vital lifeline for the Spanish Monarchy, it was increasingly clear in both London and Madrid that a new settlement was necessary to maintain Anglo-Spanish friendship on the seas and the good correspondence of their respective merchant marines. Neither side had any interest in continuing the tensions between the crowns that resulted from the Dutch attacks or the Dunkirker raids. The clearest solution, which also had the advantage of furthering the spirit of Anglo-Spanish cooperation that resulted from the peace of 1630, was for England to expand its naval resources to be able effectively to protect the shipping lanes from Dutch and French attacks. Increased security would also benefit England as the Dunkirkers could be kept at bay. Spanish traffic and communications would thus enjoy freedom of movement, while England's neutral status would protect their own ships from

the wrath of Spain's enemies. And if the French and Dutch decided to challenge England's protection of the seas, it would only serve Spain's purposes and furnish her with a new ally.

In February 1633, Lord Treasurer Weston approached Tailler eager to further the cause of Anglo-Spanish friendship. While Weston was reluctant to promise any of the more immediate needs Tailler wanted addressed, such as granting large numbers of levies for the English and Irish tercios in Flanders, he did agree that England and Spain had a common interest in increased channel security. To this end, he proposed an agreement that would provide Spanish shipping with English escorts, promising to take the matter up with Necolalde.<sup>3</sup> English relations with the Netherlands were sour at the time as Dutch ships continued to invade English territorial waters, flouted Charles's claimed sovereignty of the seas, and committed violent acts against English merchants in Asia. These incidents and their aftermaths led Tailler to report that the time was ripe to "fan the fires" of discord between England and Holland.<sup>4</sup> Dutch attacks on vessels trading between England and Flanders grew in frequency during the period, earning the disgust of Charles and his ministers who then turned with increasing interest to an alignment with Spain. In March 1634, Tailler reported that the English ministers were all in a flurry over news of massive French naval expansion coupled with rumors of an imminent Franco-Dutch alliance. In response, the English could not put to sea any of their own vessels

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<sup>3</sup> Tailler to Della Faille, 11 February 1633, HHSA PC 65 ff.46-47. Michael Alexander, *Charles I's Lord Treasurer*, pp.215-217.

<sup>4</sup> Tailler to Infanta Isabella, 1 April 1633, HHSA PC 65 f.76v.

because of the great lack of money in the royal treasury.<sup>5</sup> The pressing need for a strong English naval presence to protect their territorial integrity as well as to remain strong relative to their ever-arming neighbors would eventually lead to the ship money controversies in England. But first, English ministers would attempt an alternative means of acquiring the funds necessary for naval armament.

In early 1634, Francis Cottington and Secretary Windebank initiated talks with Necolalde for a new maritime treaty between England and Spain that would provide for Channel security with an English fleet funded by Spanish silver.<sup>6</sup> Necolalde sent reports to Brussels and Madrid in January stating that the English ministers had proposed a treaty by which Spain would pay a monthly rate per vessel to maintain twenty to thirty English ships to patrol the channel and, if necessary, defend the Flemish coast. Necolalde himself was skeptical of how realistic the proposal was, but affirmed that the English had declared their common interest in securing the seas.<sup>7</sup> In Madrid, Necolalde's report was received warmly, and Olivares championed the proposal as a means to divert Charles away from the Dutch and French.<sup>8</sup> When Necolalde began his negotiations with Windebank in February, Olivares gave instructions that he was to make the treaty as pointedly anti-Dutch as possible.<sup>9</sup>

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<sup>5</sup> Tailler to Della Faille, 19 March 1634, HHSA PC 65 f.294.

<sup>6</sup> Sharpe, *The Personal Rule*, pp.73-74, 548-549.

<sup>7</sup> Necolalde to Cardinal Infante, 27 January 1634, AGR SEG 364 ff.69v-70. Loomie, "The Spanish faction," p.40.

<sup>8</sup> Council of State, 10 February 1634, AGS E 2520 [unfoliated].

<sup>9</sup> Necolalde to Philip, 20 February 1634, AGS E 2520 [unfoliated]. Council of State, 30 March 1634, E 2520 [unfoliated].

By August, a prototypical treaty was presented to Necolalde, outlining the conditions and obligations of the two parties. In these points the English pledged to protect the Channel traffic, but did not specify from whom, only identifying the targets as “pirates and those who disturb the peace with insolences and violence.” This bothered Necolalde who wished the treaty to be more clearly aimed against the Dutch and disliked that such language could be interpreted to validate attacks on Dunkirkers or other Spanish vessels.<sup>10</sup> Quibbling over details, Necolalde also objected to the English proposal’s use of vague terms like “insolences,” preferring a more concrete definition of the activities that would warrant Charles’s armed response in the Channel.<sup>11</sup> Contrary to Necolalde’s attempt to provide for joint offensive actions, the English insisted on the agreement being strictly defensive. The English also waffled on a point Necolalde wanted which would have obligated Charles to press suits on behalf of Spanish and Flemish merchants in the Dutch admiralty courts. Windebank was only willing to include this provision with an extremely limited time limit.<sup>12</sup> Reviewing these conflicts in Madrid, Olivares and the Council of State believed that the treaty would be useless if its anti-Dutch points could not be emphasized, and especially wanted a secret article stipulating that “defensive war, if in rigor, is offensive.”<sup>13</sup> These considerations were endorsed by Philip, who wrote to

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<sup>10</sup> Paper of points to be adjusted or approved for the agreement or secret contract for arming of vessels by his majesty of Great Britain, [undated] August 1634, AGR SEG 364 f.154.

<sup>11</sup> Articles negotiated as of 6 August 1634, AGS E 2520 [unfoliated].

<sup>12</sup> Changes made by the English to what was proposed by Necolalde, August 1634, AGS E 2520 [unfoliated].

<sup>13</sup> Council of State, 29 September 1634, AGS E 2520 [unfoliated].



Necolalde instructing him to press on for the offensive capacity and the clear identification of the Dutch as the enemies to be fought.<sup>14</sup>

While he waited for instructions for Madrid, Necolalde also believed the delay in the negotiations would make Charles feel the want of money all the more, and might incline the English to be more amenable to Spanish preferences.<sup>15</sup> Hoping to drive the English to further compromise was only part of the rationale behind Necolalde's stalling, however, as another concern was that Madrid simply did not have the funds available to maintain its various military commitments across Europe and simultaneously incur a new considerable expense in England. Later in August, Necolalde reported that the English ministers could not accept his desired changes without consulting Charles on the matter. A few days later Windebank came to tell Necolalde that the treaty as the Spaniards desired it could not be signed and that Charles would be sending an account of all their negotiations to Philip, which Necolalde privately welcomed as an opportunity for cash-strapped Madrid: "they would send a courier to the king our lord, giving him account of all, which could gain him time if he wishes to approve the provision of money"<sup>16</sup> Negotiations continued to drag on through the rest of 1634 and into the following year as both sides continued to fight over the wordings of the treaty. Windebank stubbornly rejected all the provisions Necolalde had inserted that would allow the proposed treaty

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<sup>14</sup> Philip to Necolalde, 9 October 1634, AGS E 2520 [unfoliated].

<sup>15</sup> Necolalde to Cardinal Infante, 11 August 1634, AGR SEG 364 f.149.

<sup>16</sup> Necolalde to Axpe, 25 August 1634, AGR SEG 364 f.158.

fleet to be used offensively, insistent as he was that England's role be purely defensive.<sup>17</sup> That Charles eventually chose to raise funds with the hated ship money writs rather than pursue the Anglo-Spanish treaty is in part testament to his desire both to maintain his independence of action as well as to avoid breaking completely with the Dutch, which was one of the Spaniards' primary aspirations.<sup>18</sup>

Meanwhile in Madrid, Hopton became aware of the proposed treaty fairly late, writing to Weston, now Earl of Portland, in August of 1634 that he had met several times with Olivares, who he found much spirited and full of certainties of an imminent Anglo-Spanish agreement. Hopton reported of the tone at court that to enter into compact with Charles "would be their greatest happiness and is most desired by them in the present state of affairs."<sup>19</sup> Hopton, apparently correctly, perceived that Necolalde was in part to blame for the delays, although misinterpreted Necolalde's object, calling him "no friend of ours" with a "dangerous nature to stand between two kings."<sup>20</sup> Hopton began pressing for Necolalde's removal from London, which the Spaniards agreed to, eventually nominating the Count of Umanes to go to England as ordinary ambassador, though the sickly Count would never take his post.<sup>21</sup> Olivares also offered to grant plenipotentiary powers to the Marquis d'Aytona, interim governor of the Spanish

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<sup>17</sup> Necolalde to Philip, 22 November 1634, AGR SEG 364 f.203v. Loomie, "The Spanish faction," pp.41-42.

<sup>18</sup> Sharpe, *The Personal Rule*, p.74.

<sup>19</sup> Hopton to Portland, 13 August 1634, TNA SP94/37 f.93.

<sup>20</sup> *Ibid.*

<sup>21</sup> Hopton to Portland, 22 August 1634, TNA SP94/37 f.103.

Netherlands, if it would please Charles to treat with someone other than Necolalde. John Taylor, ever prone to excessive optimism in Anglo-Habsburg affairs, had arrived as Charles's extraordinary ambassador on matters related to the Palatinate and enjoyed frequent conferences with Olivares. Writing back to London, Taylor said the Count-Duke was extremely eager to sign a treaty, only wishing to know how far Charles was prepared to extend his offered naval assistance. Taylor also reported that Olivares promised that even in the event Charles balked at a formal military league and only wished to protect the Channel with his ships, he could trust that it would be with the assistance of "a summe of mony which cannot be denyd (as he sayd) to a neighbor king and a frend."<sup>22</sup> Olivares evidently shared Taylor's optimism and both ministers believed the treaty's conclusion was almost guaranteed. Taylor was so impressed by his host's affability that he declared if the matter came to a bad end it would be alone the fault of Necolalde, who "is more zealous of the king his maisters servise then discrete in the prosecution of itt, and this is the iudgement is here made of him"<sup>23</sup> This assessment, as well as the open-minded attitude ascribed to Olivares, appears at odds with the internal Spanish communications, in which Necolalde was continuously encouraged to take a hard line on the offensive nature of the treaty. While it is possible Olivares had his reasons for presenting a different face to Taylor, it would also not be the last time Taylor had misrepresented Habsburg intents.<sup>24</sup>

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<sup>22</sup> Taylor to Portland, 22 August 1634, TNA SP94/37 f.105.

<sup>23</sup> Taylor to Portland, 11 October 1634, TNA SP94/37 f.123.

<sup>24</sup> See Chapter 4, IV.

By March 1635 a new version of the treaty, much simplified, was produced by Necolalde and Windebank and sent to Hopton who made the Spanish translation for Olivares. This draft was without many of the more pointedly anti-Dutch provisions desired by Necolalde, but Hopton wrote to Windebank that “I finde the busnesse comes noe way favoured by Nicolaldi yet I ame of opinion they are not in estate to refuse such an offer”<sup>25</sup> This new agreement simply required the Spaniards to pay 200,000 escudos to England to help maintain some twenty ships in the channel for a period of three or four months.<sup>26</sup> Obtaining this money proved a difficult matter however, and Necolalde had to continually deal with inquiries from Charles or his secretaries asking about the funds. Word from Madrid was not encouraging as Philip had many expenses that took precedence, offering only promises of future payment, and instructions to keep Charles placated.<sup>27</sup> Necolalde realized the dangers in not being forthcoming, warning the Cardinal-Infante that delay on payment would not sit well with the English ministers and would only push Charles into the arms of the agents of France and Holland: “we can judge this king’s neutrality with little certainty, as his ability to make war on whoever he wishes is increasing his pride with the preparations of his fleet, and truly [not disbursing the funds] would put in danger that which can be secured at so little price.”<sup>28</sup> Madrid had already abandoned the project, however, after reviewing the articles presented by Hopton.

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<sup>25</sup> Hopton to Windebank, 21 March 1635, TNA SP94/37 f.159.

<sup>26</sup> Agreed articles for the arming of a fleet of 20 vessles of His Majesty of Great Britain with assistance of His Catholic Majesty, [undated] 1635, AGR SEG 365 f.129.

<sup>27</sup> Philip to Necolalde, 7 April 1635, AGR SEG 365 f.54.

<sup>28</sup> Necolalde to Cardinal Infante, 11 May 1635, AGR SEG 365 f.73.

Olivares declared that the English had shown “they would in no manner do anything to give offense to the Hollanders, nor be of any advantage to us.” Unless Necolalde could obtain better offers, Olivares and the Council of State were inclined to see the 200,000 escudos as a loss and voted that the agreement be allowed to lapse after the first payment.<sup>29</sup> In England, Charles and his ministers had also moved on and the first writs for ship money had already gone out the preceding autumn. Charles was thus free to move his ships according to his own purposes, free from any control from Spain.<sup>30</sup>

## II. The Ship Money Fleets

In May of 1635 the first of the annual ship money fleets under the Earl of Lindsey conducted its patrols of the Channel and North Sea with nineteen royal vessels and five London-sponsored armed merchantmen.<sup>31</sup> Lindsey’s force was instructed to cruise about the waters around the British Isles and secure them “from men of war, pirates and sea rovers, and all picaroons that interrupt the trade and commerce of his Majesty’s dominions.”<sup>32</sup> Necolalde wrote despairingly to Brussels that his efforts to control the actions of the fleet and keep Charles well disposed to Spanish concerns against their enemies would not be assisted by the latest letters from Madrid reporting the

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<sup>29</sup> Council of State, 25 March 1635, AGS E 2520 [unfoliated].

<sup>30</sup> Kenneth Andrews, *Ships, Money, and Politics: Seafaring and Naval Enterprise in the Reign of Charles I*, (Cambridge, 1991), pp133-134.

<sup>31</sup> *Ibid.* p.153.

<sup>32</sup> Harold Hodges and Edward Hughes Eds., *Select Naval Documents* (2<sup>nd</sup> Edition), (Cambridge, 1936), pp.45-46.

impossibility of issuing the 200,000 escudos that year. “We cannot negotiate anything here and we risk the loss of much credit,” he complained, adding that Charles and his ministers had begun pestering him anew about Spain’s slowness to support the Prince Palatine.<sup>33</sup> English displeasure was made apparent when the fleet retired to ports early that autumn, leading Necolalde to conclude immediately that it was an effort to pressure Spain to produce the demanded funds.<sup>34</sup> By December, Necolalde warned the Cardinal-Infante that due to the lack of any funds from Spain, Charles had begun entertaining the advances of French and Dutch emissaries for a general anti-Habsburg alliance.<sup>35</sup> Madrid’s purse remained closed to England due to Spain’s near bankruptcy with finances stretched to the limit to enable the Cardinal-Infante’s 1636 campaign into France, and indeed the money would never materialize.<sup>36</sup> A further aggravation was Charles’s unhappiness with Spain’s scant assistance in the ongoing Palatinate negotiations, which would only worsen in 1636 with Arundel’s unfruitful embassy to Vienna.<sup>37</sup> In this changing diplomatic wind, the English fleet, to which the Spanish had first attached so many hopes, became an object of fear and suspicion.

The possibility of the ship money writs as an alternative to receiving money from Spain had been floated even before the maritime treaty negotiations stalled in 1634. In 1631, immediately following the conclusion of the peace, Secretary Coke presented a

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<sup>33</sup> Necolalde to Cardinal Infante, 15 June 1635, AGR SEG 365 f.112.

<sup>34</sup> Necolalde to Cardinal Infante, 26 October 1635, AGR SEG 365 f.264.

<sup>35</sup> Necolalde to Cardinal Infante, 14 December 1635, AGR SEG 365 f.328v.

<sup>36</sup> Elliott, *The Count-Duke*, p.480. Parker, *The Army of Flanders*, p.131.

<sup>37</sup> See Chapter 4, IV.

proposal to the Privy Council detailing the need for a naval program to replace aging vessels in the English fleet as well as replace losses taken during the war. Coke stated that of the 43 ships then in the king's fleet, only 28 were battle-worthy, and of those many were aged or in ill-repair. To correct this, the secretary's program called for new construction to bring the king's ships to a total of 50 vessels, of which 40 would be able to fight in a battle line.<sup>38</sup> The council readily appreciated the proposal's merits, but funding for the project remained a problem until Charles's ministers arrived at the solution of the ship money writs.<sup>39</sup> Tailler first reported in June 1634 that the court in London was filled with surprised talk of Charles putting a fleet in the Channel at his own cost.<sup>40</sup> Necolalde confirmed that this fleet was projected to consist of some 25 vessels while Tailler was able to provide a detailed account of the unfolding controversy surrounding resistance to the payment of the ship money tax.<sup>41</sup> Tailler was optimistic at the time, both anticipating that the maritime treaty would soon be signed and already taking note of fears apparent in the French and Dutch emissaries at what Charles's armaments portended.<sup>42</sup>

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<sup>38</sup> John Hattendorf, R. Knight, A. Pearsall, N. Bodger, and Geoffrey Till, Eds., *British Naval Documents, 1204-1960*, (Aldershot, 1993), pp.148-149.

<sup>39</sup> Andrew Thrush, "Naval finance and the origins of ship money," Mark Fissel, Ed., *War and Government in Britain, 1598-1650*, (Manchester, 1991), pp.133-162.

<sup>40</sup> Tailler to Della Faille, 27 June 1634, HNSA PC 65 f.320v.

<sup>41</sup> Necolalde to Cardinal Infante, 24 November 1634, AGR SEG 364 f.194. Tailler to Cardinal Infante, 29 December 1634, HNSA PC 65 f.370.

<sup>42</sup> *Ibid.*

Despite lacking any form of control on the fleet's movements, the Habsburg diplomats in London were both optimistic that it could still serve their purposes. Before the launch of Lindsey's force in May 1635, rumors had appeared in English ports that the French and Dutch were massing a combined force at Brest that would sail up the Channel to threaten Flanders that summer. Tailler reported that in response to this news the English moved the fleet's rendezvous to London. When the French and Dutch ministers inquired as to the reason, Charles excused the decision as necessary due to the spread of plague in Portsmouth, the original rendezvous point. The actual object was to place the fleet within easy reach of both Calais and the coast of Flanders, "to be on watch for what might occur in this Channel as well as both those coasts."<sup>43</sup> All this was not lost on the French ambassador who Tailler mentioned was visibly discomfited, especially after Charles openly declared his commitment to maintaining the traffic with Flanders.<sup>44</sup> Necolalde was similarly happy to report that care was being taken that all the captains commissioned for the king's vessels were known for their anti-Dutch sympathies.<sup>45</sup> At this moment the Spanish representatives anticipated the launching of the fleet with relish, declaring that the English and Franco-Dutch fleets were both grown so large that "it will be impossible for there not to come very quickly some encounters of the one fleet with the other that will oblige a rupture."<sup>46</sup> Despite Spanish hopes, the English were not

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<sup>43</sup> Tailler to Della Faille, 27 April 1635, HHSA PC 65 f.408.

<sup>44</sup> Tailler to Della Faille, 10 May 1635, HHSA PC 65 f.411-411v.

<sup>45</sup> Necolalde to Cardinal Infante, 18 May 1635, AGR SEG 365 f.79v.

<sup>46</sup> Tailler to Della Faille, 25 May 1635, HHSA PC 65 f.416.



willing to go pick fights with French or Dutch in the Channel if they could help it. When Aston arrived in Spain in 1635, he carried orders which in regard to the Franco-Spanish war declared, “wee being the neare allies and Confederates of both Crownes are sorie for that rapture which is fallen out betwixt them. And that for Our Parts wee purpose not to take advantage thereby.” Stating the purpose for England’s naval preparations, Aston’s instructions continued, “(if neede require) [we] will maintaine Our owne dominions and helpe the interests of Our frends both by Sea and land. And to that end have sett out a considerable Navie with purpose to proceede as there shall bee cause,” thus keeping well within the reluctant, defensive posture that Charles had insisted for himself.<sup>47</sup>

The fleet’s first cruises in summer 1635 fell short of the Spaniards’ high hopes. This was especially because among its first victims were some Dunkirker ships who had been hunting Dutchmen in the Channel for which Necolalde lodged a protest with Windebank citing England’s murky promises to protect Spanish shipping.<sup>48</sup> Tailler, already perceiving the increasing independence on the part of the English, foresaw difficulties in securing the release of the captured ships and noted “the English proceed with new and extravagant pretensions.”<sup>49</sup> The first fleet, however, did offer some advantages as the Franco-Dutch armada that had been massing at Brest and which had set sail to move against Dunkirk returned to port in early July, apparently wishing to avoid a

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<sup>47</sup> Instructions for Aston, 9 June 1635, TNA SP94/37 f.189.

<sup>48</sup> Necolalde to Cardinal Infante, 22 June 1635, AGR SEG 365 f.118.

<sup>49</sup> Tailler to Della Faille, 22 June 1635, HHSA PC 65 f.421.

confrontation on the sea with the English force.<sup>50</sup> English merchants aided Tailler and Necolalde in their protests and petitioned Charles to ensure the safety of their own trade with the towns of Flanders.<sup>51</sup> If Charles's fleet irritated the Spaniards in its readiness to threaten force against the Dunkirkers, it at least gave the Dutch the same treatment and did pursue some Dutch vessels that had sought to prey upon Flemish merchants.<sup>52</sup> The ambiguity in the fleet's role, however, remained and already in the first weeks of 1636 Secretary Coke instructed Gerbier to intimate to the Spaniards and Dunkirkers that the fleet could as easily turn against the Spaniards as protect them: "when the weather openeth, [the English fleet] wil breath out the more active and wee may also hope by the fleet wee now prepare much stronger then hertofore, wee may have the seas to fieud and undeceave these respect none but themselves."<sup>53</sup>

In 1636, Anglo-Spanish relations took a steep dive in as the Palatinate negotiations in Germany proved unproductive. Throughout the early months of 1636 Necolalde reported growing English irritation at the lack of progress in Vienna, as well as the slow movement to that court of the Count of Oñate, the Spanish ambassador to the Emperor who was to intercede on the Prince Palatine's behalf.<sup>54</sup> In the peace of 1630, Spain had taken on the obligation to assist England's negotiations for the restitution of

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<sup>50</sup> Tailler to Della Faille, 6 July 1635, HNSA PC 65 f.423. Andrews, *Ships, Money, and Politics*, pp.154-155.

<sup>51</sup> Necolalde to Axpe, 24 August 1635, AGR SEG 365 f.202. Kepler, *The Exchange of Christendom*, pp.44-45.

<sup>52</sup> Necolalde to Axpe, 7 September 1635, AGRSEG 365 f.219.

<sup>53</sup> Coke to Gerbier, 23 January 1636, TNA SP77/26 f.10v.

<sup>54</sup> Necolalde to Axpe, 1 February 1636, AGR SEG 366 f.71.

the estates of the Prince Elector Palatine, and Oñate's lack of diligence was interpreted as a violation of the agreement.<sup>55</sup> Charles was approaching a critical point in his frustrations with the Palatinate question which did not go unnoticed in the Habsburg courts. The appearance of the ship money fleet put strict limits on the degree to which his desires could continue to be ignored. Imperial ministers at Brussels made shows of expressing to Gerbier their support for a speedy restitution of the Palatinate, to which Gerbier suggestively responded that Charles "though scorned to fish in troubled waters, if all failes, his cleere seas will not," clearly alluding to the Clauswitzian diplomatic potential of the ship money fleets.<sup>56</sup> As 1636 continued, Gerbier was continually approached by various ministers with inquiries surrounding Charles's intentions and disposition:

many of the considerablest here alsoe by great number of Inferiours concurring in one feare his Majesties preparations tend farther then garding of Coasts, which God had soe well provided for nothing more rife on mens tongues but his Majestie will joyne with best friends and that the long promises for the Palatinate will once make short worke<sup>57</sup>

Gerbier took good advantage of these concerns, spreading the word that Charles was "wise, just, and good, able to right his when thinkes best. To me seemes of great waight that outward show of what his Majestie could doe by extreames."<sup>58</sup> By the end of the year, when Arundel departed from Vienna in exasperation the English merchants at Antwerp began visiting Gerbier hoping for some inside information, "cause apprehensive

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<sup>55</sup> Sharpe, *The Personal Rule*, p.519.

<sup>56</sup> Gerbier to Coke, 8 February 1636, TNA SP77/26 ff.33v-34.

<sup>57</sup> Gerbier to Coke, 1 March 1636, TNA SP77/26 f.61.

<sup>58</sup> *Ibid.*

of alterations on brutes spread here his Majesty may take other resolutions if not really & out of hand satisfied in the business of the Palatinate.”<sup>59</sup> Not long after the ministers in Brussels began to be likewise concerned, asking if Charles intended to break with Spain, while the Cardinal-Infante dispatched letters to both Vienna and Madrid “representing how necessary to satisfy his Majesty and of what dangerous consequence the contrary.”<sup>60</sup>

Necolalde noticed a distinct change in tone as preparations for the fleet of 1636 were underway. While 1635 had been marked by both secretaries of state giving assurances of the fleet’s utility for Spain, 1636 was filled with rumors of how the fleet might be employed to do Spain great damage. Puritans at court were heard to predict even that Charles intended to place the fleet at the disposal of one of his Palatine nephews.<sup>61</sup> While at the time Necolalde remained convinced that Charles would ultimately find satisfaction in Vienna, he was disturbed when Charles’s government imposed a new oath meant to exclude Catholics on the appointed captains of the fleet. This development was lauded by Puritans as a further sign of a coming break with Spain.<sup>62</sup> In July, Necolalde was ordered to ask Charles to support the Cardinal-Infante’s invasion of France, possibly by raiding the coast of Normandy. Charles refused to offer

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<sup>59</sup> Gerbier to Coke, 29 November 1636, TNA SP77/26 f.310.

<sup>60</sup> Gerbier to Coke, 6 December 1636, TNA SP77/26 f.318v.

<sup>61</sup> Necolalde to Cardinal Infante, 29 February 1636, AGR SEG 366 f.119.

<sup>62</sup> Necolalde to Cardinal Infante, 28 March 1636, AGR SEG 366 f.166v.

any active assistance, only consenting to vague promises to keep the sea lanes open.<sup>63</sup> By 1637, many on both sides of the Channel were convinced a rupture was imminent. Gerbier reported that Flanders was rife with fears that the English would descend on the Flemish coast and hold the provinces hostage in exchange for the Palatinate.<sup>64</sup> Even Gerbier's frequent adversary President Roose was obliged to humble himself and call on Gerbier to discern Charles's intentions. Gerbier, obviously enjoying the moment, simply reminded Roose, "itt was an ould proverb amongst the Spanyards Con todos guerra, y pace con Ingalaterra."<sup>65</sup>

It would not be until rebellion erupted in Scotland in 1637, that England would be obliged to again seek a mutually advantageous accommodation with Spain. In 1638, Alonso de Cardenas who had arrived that year to replace Necolalde, hoped to offer Charles some assistance with Scotland in exchange for some firm promises about providing security for the Flemish coast.<sup>66</sup> This plan would eventually aggregate with some other proposals from Olivares to form the basis of the activities of the triple embassy in 1640.<sup>67</sup> In many ways the efforts of that year would be a return to the diplomacy of 1634-1635 in their attempt to establish a firm basis for Anglo-Spanish naval cooperation with an eye cast toward an eventual offensive and defensive league against Spain's enemies. Charles's experiment with naval independence put the

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<sup>63</sup> Necolalde to Cardinal Infante, 11 July 1636, AGR SEG 367 f.12.

<sup>64</sup> Gerbier to Coke, 21 February 1637, TNA SP77/27 ff.60-60v.

<sup>65</sup> Gerbier to Coke, 21 March 1637, TNA SP77/27 f.95v.

<sup>66</sup> Cardenas to Salamanca, 16 July 1638, AGR SEG 368 f.78.

<sup>67</sup> See Chapter 6.

Spaniards on guard for a time and when conjoined with negotiations for a league with France in 1636-1637 the Palatinate seemed almost within his grasp.<sup>68</sup> While the breakdown of the French negotiations eliminated the possibility of an anti-Spanish league to reclaim the Palatinate, the overly cautious employment of the ship money fleets also did nothing to spur Spanish generosity. During the period of 1635-1638, Charles had truly inspired fear in the minds of Spanish ministers, leading many, not least the Cardinal-Infante, to admit the urgent necessity of maintaining English neutrality and even urging a satisfactory conclusion to the Palatinate negotiations.<sup>69</sup> In what would emerge as a recurring theme in Caroline diplomacy, Charles's unwillingness to ever steadfastly commit to one course of action made him an untrustworthy confederate in friendship and a safely dismissed rival in potential enmity. Gerbier summed up the central problem in late 1637 as he saw the Scottish rebellion closing Charles's great opportunity to gain his ends:

It seemes to me his Majesties his fleet instead of spending victualls on his sea had done good to lett collours fleie in sight of Dunkerck with pretence to watch the proceeding of the French and Holland armies who had their dessigne that way, that these peoples (inclined to feare the worst) besides that the Spaniards (who like nutt trees part seldom from frute but by blowes) would have strayned themselves more to procure satisfaction for his Majestie. Noe pen can well expresse the frights wherein these peoples have bin fearing his Majestie would take advantage of this sommer they said often to wish the tragedie att an inde, and a powerfull hand to advance for as they might forthwith be out of troubles<sup>70</sup>

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<sup>68</sup> Sharpe, *The Personal Rule*, pp.525-536.

<sup>69</sup> See Chapter 4.

<sup>70</sup> Gerbier to Coke, 12 September 1637, TNA SP77/27 f.359.

### III. The ‘Sovereignty of the Seas’

Along with protecting Channel traffic and attempting to incline Spain toward more proactive assistance in the Palatinate negotiations, another primary function of the ship money fleets was to establish England as a major regional power in the North Sea. The coasts of France, Flanders, and Holland in the late 1620s and early 1630s were home to rampant naval expansion and English planners were wary of the fate that could befall their coasts and shipping if England was unable to adequately defend itself against the growing continental fleets.<sup>71</sup> These fears were not unfounded and the early 1630s saw reports of pirates operating freely in English waters and even rumors of landings and pillaging on the coasts.<sup>72</sup> Charles’s government in the 1630s thus began to press strongly for recognition of the English claimed ‘sovereignty of the seas,’ marking the entirety of the English Channel and much of the North Sea as English territorial waters in which foreigners could fish or navigate only with England’s leave.<sup>73</sup> The basis of this claim lay with the arguments outlined in John Selden’s *Mare Clausum*, which argued that seas were as divisible and subject to jurisdiction as land. Selden put forth his argument with particular intent to prove supposed hereditary claims of the crown of England to its surrounding seas.<sup>74</sup> England’s neighbors, Spain included, did not readily recognize this

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<sup>71</sup> Elliott, *The Count-Duke*, pp.507-508. Thrush, “Naval finance and origins of ship money,” pp.137-140.

<sup>72</sup> Andrews, *Ships, Money, and Politics*, p.135. Sharpe, *The Personal Rule*, pp.101-102.

<sup>73</sup> Gardiner, *History of England*, Vol. VII, p.358.

<sup>74</sup> John Selden, *Mare clausum*, (London, 1635).

and most of them subscribed to Hugo Grotius's arguments as set forth in his work *Mare Liberum*, which argued that seas could belong to no country and that a government's jurisdiction extended only the distance a cannon-ball could be fired from shore.<sup>75</sup> When Secretary Coke had outlined his program for naval expansion in 1631, he explained that the principle object was to re-assert England's decayed sovereign rights in the North Sea and Channel. He lamented that the Dutch "think themselves mighty lords at sea," and also pointed at the growing Spanish naval forces in Flanders which he predicted would "dispute with us the sovereignty of the Narrow Seas [English Channel]." Eager to reclaim English glory, Coke promised that the new fleet would "raise his Majesty such a power by sea as shall make him more respected than any of his predecessors."<sup>76</sup> Thus this sovereignty was not only a defensive measure to protect England against its heavily armed neighbors, but was also an attempt by Charles to reinvigorate English power in European politics by making himself a viable 'third force' in the North Sea.<sup>77</sup> With the establishment of Dover as the major re-export hub for Spanish silver and other goods, the navy also provided much needed protection for English trade throughout northern Europe.<sup>78</sup>

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<sup>75</sup> Hugo Grotius, *Mare liberum*, (Leiden, 1609).

<sup>76</sup> Hattendorf, Knight, Pearsall, Bodger, Till, Eds., *British Naval Documents*, pp.148-149.

<sup>77</sup> Andrews, *Ships, Money, and Politics*, pp.138-140. Richard Cust, *Charles I: A Political Life*, (New York, 2005), pp.190-192. For Charles's personal interest in naval matters during his time as Prince of Wales and afterward see: B.W. Quintrell, "Charles I and his navy in the 1630s," *The Seventeenth Century* 3, (1988), pp.159-179.

<sup>78</sup> Kepler, "Fiscal Aspects of the English Carrying Trade," p.265.



Over the course of the decade, while the Spaniards were hoping in vain for the ship money fleets to secure their sea lanes and the English were hoping in vain for Spanish monies, a series of small confrontations occurred between the English fleets and ships of France, Holland, and even Denmark, as Charles struggled to impose recognition of his claimed sovereignty.<sup>79</sup> Spain's diplomats occasionally took notice of these spats such as when a small firefight commenced in the Channel between an English royal warship and a Dutch ship which failed to dip its colors in deference.<sup>80</sup> The Spaniards, while never aspiring to anything but friendship with England, were nonetheless far from prepared to recognize the sovereignty of the King of England up to the very coasts of Flanders and the rebel provinces to the north. When Necolalde had negotiated the Maritime Treaty in 1634, Secretary Windebank had early on tried to get the treaty to include articles making reference to Charles's sovereignty of the seas. "The sovereignty and dominion of his Majesty in these his seas shall be conserved and they shall be free of violence and insolences" read the early draft delivered by the English. Necolalde immediately sought to remove the term, arguing that it was vague, undefined, and "not a word for this treaty."<sup>81</sup> In the later form of the agreement that was ultimately sent to Madrid, Necolalde succeeded in removing all mention of the sovereignty, despite Charles's dogged desire that the treaty include reference to it.<sup>82</sup> When the Count of

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<sup>79</sup> Gardiner, *History of England*, Vol. VII., pp.385-390.

<sup>80</sup> Tailler to Infanta, 1 April 1633, HNSA PC 65 ff.75v-76.

<sup>81</sup> Articles negotiated as of 6 August 1634, AGS E 2520 [unfoliated]. Copy of letter of Necolalde to Windebank, 26 August 1634, AGS E 2520 [unfoliated].

<sup>82</sup> Necolalde to Philip, 1 December 1634, AGS E 2520 [unfoliated].

Villamediana was present to arrange the England-Spain post, he took great pains to avoid the issue in all correspondence with Charles's officials and the Council of State in Madrid approved of his prudence. While they had no interest in acknowledging Charles sovereignty of the seas, they also did not want to give him offense by openly rejecting it.<sup>83</sup> This characterized Spanish treatment of the issue throughout most of the early part of the 1630s and the Spaniards' generally pacific stance toward England, as well as the interdependence of the English Road arrangements, usually prevented the same sort of armed exchanges as occurred with the other powers. In 1637, the Cardinal-Infante once wrote to Charles to complain that English royal vessels were stopping traffic outside of Dunkirk and citing the sovereignty of the seas as their basis. Otherwise conflict at sea was infrequent.<sup>84</sup>

While spared the ugly encounters experienced by other nations, the Spaniards could not entirely avoid the question of Charles's maritime sovereignty. The issue which brought the principle into the spotlight was in 1636, when Charles decided to both further assert his rights and to make some additional revenue by selling fishing licenses to Dutch fishermen. Necolalde received both Secretaries of State Coke and Windebank who informed him that Charles was resolved to secure the Channel and North Sea and protect all trade and traffic within it. While Necolalde was pleased at the demonstrations of outrage against Dutch and French incursions in English waters, he was suspicious of

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<sup>83</sup> Council of State, 27 February 1638, AGS E 2520 [unfoliated].

<sup>84</sup> Cardinal Infante to Charles, 29 January 1637, TNA SP77/27 f.23.

Charles's claims to regulate fisheries.<sup>85</sup> Later, when the details for the fishing license scheme came to light, Necolalde castigated it as a mere money-making scheme despite its appeal to principle and right. He also did not appreciate the irony that the ship money fleets he wanted to protect Spanish shipping from the Dutch, would now be protecting the same Dutch from the Spanish.<sup>86</sup> After their conference, Coke and Windebank gave Necolalde a written declaration in which Charles's rights and the ancient recognition of them by other princes were asserted, primarily following the argument put forth in Selden's work.<sup>87</sup> Shortly afterward, English officials began producing licenses and issuing them to purchasers. The license demarked the bearer, whoever he may be, as under the protection of the King of England and to be free from all molestation as he went about his business in Charles's seas.<sup>88</sup>

Unsurprisingly, the Spanish and Dunkirker vessels in the Channel took little notice of Charles's licenses, and the English determined it was necessary to get their claim formally recognized in Brussels. At the end of March 1637, Gerbier received formal instructions from Secretary Coke to begin negotiations to obtain passports from the Court at Brussels that would both acknowledge the validity of Charles's licenses and affirm that the bearer was to be free from attack by Dunkirkers. Coke's instructions also emphasized that the process was "to be managed with greate caution & secrecy, & rather

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<sup>85</sup> Necolalde to Cardinal Infante, 2 May 1636, AGR SEG 366 ff.241-242v.

<sup>86</sup> Necolalde to Galaretta, 29 May 1636, AGR SEG 366 f.278.

<sup>87</sup> Prematica por laqual el Rey de la Gran Bretaña que nadie pesque en sus mares y costas sin su lizencia, [undated] 1636, AGR SEG 366 f.281.

<sup>88</sup> Form of Licence for Fishing, [undated], TNA SP77/27 f.207.

by way of contract & bargain then for friendship or favor or other respect which may bring His Majestie within an obligation to that Prince.” This injunction to secrecy reflected Coke’s wish to shield England from the embarrassment of its claims not being immediately recognized. The insistence that the negotiations proceed in the manner of a contract ensured that a Spanish grant of passes would take a form that explicitly acknowledged that the King of England’s jurisdiction was by right and in no way dependent on Spanish cooperation.<sup>89</sup> Gerbier was inclined to pessimism, noting “This busines is like to cost me many gray hayres eare done with itt.”<sup>90</sup>

At the start of May 1637, Gerbier began submitting remonstrances to have the matter addressed.<sup>91</sup> His requests immediately met stiff resistance from the government ministers, spearheaded by the Marquis de Fuentes who sat on the Brussels Council of State and commanded great influence. Noting a rivalry between Fuentes and President Roose, Gerbier corresponded with Roose’s brother to organize efforts to counter Fuentes in the council.<sup>92</sup> Roose agreed to take the matter up, and his influence seemed to bode well for the cause of the passes.<sup>93</sup> Guided by Roose, the Council at this stage appeared eager to grant the request in contemplation of the revenues that the sale of passes could generate. Gerbier, in keeping with Coke’s instructions, was adamant that the documents could only take the form of “passes” rather than “licenses” as the latter term would deny

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<sup>89</sup> Coke to Gerbier, 27 March 1637, TNA SP77/27 f.110.

<sup>90</sup> Gerbier to Windebank, 25 April 1637, TNA SP77/27 f.132.

<sup>91</sup> Gerbier to Windebank, 2 May 1637, TNA SP77/27 f.152.

<sup>92</sup> Gerbier to Windebank, 9 May 1637, SP77/27 ff.172-173.

<sup>93</sup> Gerbier to Windebank, 16 May 1637, TNA SP77/27 f.176.

Charles's hereditary rights.<sup>94</sup> Gerbier then was happy to report near the end of May that the Council had voted to grant the passes in a form acceptable to the English, calling the document a "passport" and designating that it was only valid for those with "licence du Roy d'Angleterre."<sup>95</sup>

Fuentes, however, had not finished and citing his own commission which came from Spain, refused to assent to the passes or allow them to be processed without first appealing the matter to Madrid. Gerbier was optimistic that Madrid would back the passes, as the Cardinal-Infante had already assented to them, but he was nevertheless angered at the delay.<sup>96</sup> Gerbier for his part was bewildered at the sudden slackness of President Roose's support, noting that in days prior Roose had "said once Mr scelden worthy commendation for his mare clausum and liked his Majestie should stand upon his right," but now "sticks in a deepe littargie when to doe his Majesties rights as in a particular now in agitation."<sup>97</sup> In the meantime, the Cardinal-Infante had forwarded copies of Gerbier's remonstrances to Necolalde in England, both to apprise him of the matter in Brussels and also to hear the Spanish resident's opinion. Necolalde was predictably unimpressed with the King of England's claims and saw little reason for Spain to accede to them, especially given the ship money fleet's poor record policing the Channel and that it pursued men-of-war from Dunkirk or the Biscayan coast as often as

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<sup>94</sup> Gerbier to Windebank, 19 May 1637, TNA SP77/27 f.184.

<sup>95</sup> Gerbier to Windebank, 23 May 1637, TNA SP77/27 f.188. Passport for Fishing, [undated] May 1637, TNA SP77/27 f.226.

<sup>96</sup> Gerbier to Boswell, 2 June 1637, TNA SP77/27 f.204.

<sup>97</sup> Necolalde to Boswell, 12 June 1637, TNA SP77/27 f.229.

Dutchmen.<sup>98</sup> Necolalde's sentiments mirrored many in Flanders, and it was only through the intercession of the future bishop of 's-Hertogenbosch, Joseph de Bergaigne, that the negotiations were resumed.<sup>99</sup>

Coke commended Gerbier on his efforts and assured him that Charles understood his difficulties while asking Gerbier to make plain in Brussels that Charles was "resolved to make good his licenses and to protect & defend those from trouble & injuries that shall take them."<sup>100</sup> Gerbier accordingly tried to emphasize the possibility of more aggressive approaches in his subsequent dealings with the Spaniards. In one discussion with the Secretary of State and War Francisco de Galaretta concerning the principle maintained in Brussels that maritime jurisdiction extended only so far as cannon-shot distance, "I could not dispence myselfe of saying his Majestie right might extend as farre canon can reach from any of his ships, iff any presumed to dispute against his right of inheritance which intends to make good"<sup>101</sup> While Bergaigne continued his maneuvers with the Council, word arrived in August that the Dunkirkers were preparing to set out to prey on the Dutch herring buses, many of which bore Charles's licenses. Gerbier had tried to vain to get an order from the Council to rein in the Dunkirkers while the negotiations were underway, and it seemed that Charles might soon be expected to defend his claimed sovereignty.<sup>102</sup> Gerbier was much taken aback at the blatant disregard that the Spaniards and Flemish

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<sup>98</sup> Necolalde to Cardinal Infante, 10 July 1637, AGR SEG 367 f.280.

<sup>99</sup> Necolalde to Boswell, 20 June 1637, TNA SP77/27 f.236.

<sup>100</sup> Coke to Gerbier, 25 June 1637, TNA SP77/27 f.245.

<sup>101</sup> Gerbier to Windebank, 11 July 1637, TNA SP77/27 f.278.

<sup>102</sup> Gerbier to Coke, 25 July 1637, TNA SP77/27 f.291.

showed his veiled threats of retribution remarking it a “wonder they should continue in the same itt being bruted amongst them his Majestie intends to protect the fishers who pay his right.”<sup>103</sup> Gerbier would consistently demonstrate a hawkish tendency in his views on maritime policy but was destined to be frustrated here despite the assurances of Secretary Coke who wrote that “if those of Dunquerque raise any opposition I believe they will find it a warme business.”<sup>104</sup>

The Dunkirk fleet set out with impunity, fearless of both the English and a sizeable Dutch force reported to be operating in the region.<sup>105</sup> Over the next few weeks prizes began to appear in Flemish ports, and Gerbier reported that by the end of the month the Dunkirkers had taken some 400 Dutch prisoners.<sup>106</sup> This action made a mockery of Charles’s pretended sovereignty, as the vaunted English fleet did nothing to intervene. Gerbier filed a remonstrance with the State Council complaining bitterly of the gross violation, and in response he was told that the Spaniards were well within their rights given “brutes of a fleete said preparing in England for the Prince Elector Palatin, their apprehentions augmented by advertisement of instances I made here for orders to Sea Ministers, which interpreted as into foure runners of differences.”<sup>107</sup> Bearing in mind the tense nature of Anglo-Spanish relations in 1636-8 when England was treating with France, and a rupture over the Palatinate seemed imminent, the Spaniards’ suspicions

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<sup>103</sup> Gerbier to Windebank, 25 July 1637, TNA SP77/27 f.293.

<sup>104</sup> Coke to Gerbier, 7 August 1637, TNA SP77/27 f.300.

<sup>105</sup> Gerbier to Coke, 8 August 1637, TNA SP77/27 f.306.

<sup>106</sup> Gerbier to Coke, 5 September 1637, TNA SP77/27 f.350.

<sup>107</sup> Gerbier to Windebank, 19 September 1637, TNA SP77/27 f.373.

were not entirely unfounded. In this light, the Dunkirker forays were also a demonstration that Spain was not intimidated by Charles's threats of war, and that saber-rattling of this kind would not be the way to negotiate with Spain. Spanish stubbornness was vindicated when the Dunkirkers returned to port without suffering any repercussions.

The following weeks seemed to offer no hope of progress, as Roose informed Gerbier that the Council had resolved again to deny the passes, and would come to the same conclusion no matter how many times asked.<sup>108</sup> Villamediana, still at Chelsea in capacity of ambassador extraordinary, refused to respond to any of Coke's letters about the matter, leaving the negotiations firmly in the hands of the Brussels ministers.<sup>109</sup> Perhaps signaling the English realization that they were unwilling to risk their fleet in defense of Dutch fishermen, especially in light of the rebellion in Scotland which had just begun in July, Coke informed Gerbier that he was to cease inquiring about the passes. Gerbier had been very passionate in his efforts and was mystified at this change in tack, since at the same time the Council of State reversed its decision and agreed to grant the passes after all, trusting in the Cardinal-Infante's authority to overrule the objections of Fuentes and some of the bishops.<sup>110</sup> This upswing was short-lived. Roose and Fuentes, now allies, joined forces to oppose the business with all their power, and dragged the next phase of negotiations out for the remainder of the year. The Cardinal-Infante, loath to involve himself in the interior squabbles between the Brussels ministers, remitted his

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<sup>108</sup> Gerbier to Windebank, 26 September 1637, TNA SP77/27 f.404.

<sup>109</sup> Coke to Gerbier, 2 October 1637, TNA SP77/27 f.408v.

<sup>110</sup> Gerbier to Windebank, 10 October 1637, TNA SP77/27 f.424.



authority in the matter to Secretary of State and War Galaretta, who proved too friendly with Roose for Gerbier's liking.<sup>111</sup> Gerbier would be forced to endure several months of constant quibbling over interpretations of *Mare Liberum* and *Mare Clausum* before the matter would come to a compromise.

Despite these endless difficulties, Dutch fishermen were still eager to purchase licenses from Charles.<sup>112</sup> Given the lack of definite security offered by Charles's ships, the demand for the licenses seems strange, but it may have been that English ships were continuing the method of obliging the fishers to choose between purchasing licenses or having their nets cut that had been employed in 1636 by the Earl of Northumberland, Charles's Lord Admiral.<sup>113</sup> Much of the early sales seems to have been attributed to these sorts of terror-tactics and Northumberland brought in over 500 pounds sterling through his forced sales of licenses to the Dutch fishers. He found less success the following year when the fishermen were escorted by Dutch men-of-war.<sup>114</sup> Whatever the cause, sales of licenses continued. In summer 1638, Charles had hoped to sell some 400 of the passes at 12 pence apiece, with Hugh Boswell, the English agent in the Hague, handling the sales.<sup>115</sup> Sales fell short of Charles's desires and Boswell only sold 130 licenses in this manner, a fact Gerbier attributed to the news that the Dunkirkers would

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<sup>111</sup> Gerbier to Coke, 12 December 1637, TNA SP77/27 f.572. Gerbier to Windebank, 16 January 1638, TNA SP77/28 ff.8-9.

<sup>112</sup> Gerbier to Coke, 30 January 1638, TNA SP77/28 f.36.

<sup>113</sup> George Drake, "Percy, Algernon, tenth earl of Northumberland (1602-1668)," *Oxford Dictionary of National Biography*. (Online Edition), 2008.

<sup>114</sup> Andrews, *Ships, Money, and Politics*, p.155.

<sup>115</sup> Windebank to Gerbier, 3 June 1638, TNA SP77/28 f.286.

likely be blockaded in ports that season.<sup>116</sup> Once sales were made, Boswell would send the lists of names to Gerbier, who would then attempt to register them in Brussels, so that the Flemish admiralty courts would oblige the Dunkirkers to honor Charles's licenses. This act of registration was the only way that Brussels would recognize the fishing licenses. Of further insult to the sovereignty of the seas, registration was not accorded automatically upon presentation of the list of license holders but was subject to approval from the court officials.<sup>117</sup> When approved, the functionaries at Brussels would generate a "certificate of license" attesting that the bearer possessed a license delivered by Gerbier to the Dutch intermediary in Brussels, William de Grint who represented the interests of the Dutch herring fishers.<sup>118</sup> While this provided a working system, Gerbier still did not give up on trying to get a blanket recognition of any licenses issued by Charles, although the Cardinal-Infante consistently refused to offer a definite response.<sup>119</sup>

Gerbier had long argued that pursuing the matter in Brussels was futile due to the intransigence of Roose and other ill-affected ministers. He was now under no illusions that sentiments in Spain would be much different, sharing Charles's reported belief that it was "not apparent the Spagnards to be brought to reason by treaty or without force" but rather felt that delivering complaints in Madrid would at least demonstrate Charles's

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<sup>116</sup> Gerbier to Windebank, 12 June 1638, TNA SP77/28 f.302.

<sup>117</sup> Gerbier to Windebank, 26 June 1638, TNA SP77/28 f.320v. Gerbier to Windebank, 3 July 1638, TNA SP77/28 f.333v.

<sup>118</sup> Certificate of Licence for Fishers, 4 October 1638, TNA SP77/28 f.520.

<sup>119</sup> Gerbier to Windebank, 24 July 1638, TNA SP77/28 ff.381-381v.

constancy and seriousness in his demands.<sup>120</sup> While Charles had first dismissed the idea, doubtless not wanting to draw attention to the business, months of indecision convinced him otherwise, and at the beginning of 1638, Coke and Windebank instructed Hopton accordingly.<sup>121</sup> Hopton was slow to bring the matter up, noting that Olivares was already in similar discussions with the Genoese ambassador. Genoa wished to secure Spanish recognition of their territorial claim to waters in the Tyrrhenian Sea but Olivares told them Spain “would deale with them noe worse then they doe with the King of Great Britaine.”<sup>122</sup> While Olivares in both cases made principled appeal to the *Mare Liberum* and the cannon-shot rule, Hopton saw the Spanish position as flexible in the right circumstances, and he believed the Spaniards would recognize the English claims if “they could uppon that occasion put some considerable difference betweene us and the Hollanders, or that his Majestie would hav bin pleased to have taken the fishing into his owne handes and to have excluded the Hollander.”<sup>123</sup> Hopton formally introduced the question of the fishing passes to Olivares who promised to put it on the Council of State’s agenda, but saw months pass as the request bounced between various secretaries, with the item only coming before the Council in mid-1639.<sup>124</sup> In the chaotic months that followed, the question would be lost in the aftermath of the Battle of the Downs, and it

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<sup>120</sup> Gerbier to Windebank, 19 July 1637, TNA SP77/27 ff.283-283v.

<sup>121</sup> Windebank to Gerbier, 12 January 1638, SP77/28 f.17.

<sup>122</sup> Hopton to Windebank, 24 July 1638, TNA SP94/40 ff.137v-138.

<sup>123</sup> Ibid. f.138v.

<sup>124</sup> Hopton to Windebank, 10 September 1638, TNA SP94/40 f.211. Hopton to Windebank, 16 October 1638, TNA SP94/40 f.259v. Hopton to Windebank, 29 March 1639, TNA SP94/41 f.68v.

was apparently shelved when the triple embassy of 1640 seemed to anticipate a new and comprehensive maritime treaty.

#### **IV. The Battle of the Downs**

The affair of the fishing passes laid bare the limits to which Charles was willing to assert his claims, but the final trial of, and disgrace to, the pretended sovereignty of the seas came in 1639 with the Battle of the Downs. The large Spanish fleet of over sixty vessels which sailed up the Channel in 1639 under Admiral Miguel de Oquendo was intended to land fresh troops and supplies for the Army of Flanders and to tip the balance of power in the North Sea and Netherlands region.<sup>125</sup> The Cardinal-Infante, who had fought his way up the overland route in 1634 with 15,000 men, had arrived just in time to preserve the Spanish Netherlands against French invasions in 1635.<sup>126</sup> The reinforcements and Battle of Nordlingen, in which a combined Spanish-Imperial army had scattered the Swedes and reestablished Habsburg dominance in southern and central Germany, had successfully reopened the land route, but the costs involved were too much to sustain. Indeed, 1634 would mark the last time major reinforcements from Spain and Italy were deployed to Flanders by land, as Spain was forced to make exclusive of the sea route through the Bay of Biscay and English Channel.<sup>127</sup> The traditional Spanish Road,

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<sup>125</sup> Stradling, *The Armada of Flanders*, p. 106. Alcalá-Zamora, *Mar del Norte*, pp.402-417.

<sup>126</sup> Parker, *Army of Flanders*, p.219. Parker, *Thirty Years War*, p.134.

<sup>127</sup> Parker, *Army of Flanders*, Appendix C.

passing through Savoy and the Franche Comté, was closed following the alliance of Savoy and France against Spain in 1636. This left only the route employed by the Cardinal-Infante in 1634, which passed from Milan through Tyrol, crossing the Rhine at Breisach.<sup>128</sup> While the occupation of Lorraine by France since 1632 had imperiled this route, the fall of Breisach in 1638 to French forces barred it entirely.<sup>129</sup>

Following the hostile coastline of France, the sea route's perils were obvious. The closures of the various land routes to Flanders had prompted another round of naval expansion in the Flanders fleet and in 1636 Philip decided to expand the naval forces of Flanders to fifty ships. These naval assets' sole purpose would be to keep the sea lanes open and shepherd transports between ports of Northern Spain and Flanders.<sup>130</sup> This ambitious building program would not be realized and the ships of the Armada of Flanders would never number more than 25 during the decade.<sup>131</sup> Nevertheless it demonstrates the importance Madrid placed on the sea route, and also further explains Spanish interest in the aborted maritime treaty negotiated by Necolalde as well as in the doings of Charles's fleet. During the long months of preparation for Oquendo's departure, the Spanish ministers were extremely eager to secure English cooperation in

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<sup>128</sup> Ibid. pp.46-47.

<sup>129</sup> Elliott, *Count Duke*, pp.542-544. Parker, *Army of Flanders*, p.55.

<sup>130</sup> Stradling, *Armada of Flanders*, pp.92-95. The sea route had been used before by Spain in other periods of war with France, most notably during the reign of Charles V, but the naval menace to shipping was substantially higher in the 1630s. See: Raymond Fagel, "El camino español por mar: los soldados españoles en los Países Bajos durante la época de Carlos V," Martínez Millán, Ed. *Carlos V y la quiebra del humanismo político*, I, (Madrid, 2001), pp.363-476.

<sup>131</sup> Ibid. Appendix 7.

transporting troops as well as in providing for the security of the fleet in the Channel.<sup>132</sup> Olivares pressed Hopton in Madrid for some assurances, and the English minister reported the frequent declarations of the Count-Duke “bemoaning the distance between England and this place and that for any purpose so much time is required I perceive he is very confident of their landforces but not of their sea-forces & that makes him look so much after his Majesty at this time.”<sup>133</sup> Cardenas labored similarly in London, and in August 1639 when Oquendo’s fleet was only days out of A Corunna, the Cardinal-Infante wrote to his brother to inform him that Charles had promised that he himself would do nothing harmful to the King of Spain or his estates and that orders would be given to Northumberland to more aggressively patrol the Channel against any aggressors.<sup>134</sup> Thus at the outset, things appeared to be very much in favor of the Spaniards, who felt secure that England would not tolerate Dutch belligerence in the Channel.

The Spaniards had also succeeded in expanding the English Road to convey soldiers, and throughout the summer of 1639 had tried to hire every English captain they could to bolster the transport fleet.<sup>135</sup> Altogether, they would succeed in contracting 13 English transports, eight of which sailed with Oquendo.<sup>136</sup> Building on the efforts to obtain promises to secure the Channel from Charles, Olivares hoped that these would

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<sup>132</sup> Elliott, *The Count-Duke*, p.549.

<sup>133</sup> Hopton to Windebank, 9 April 1639, TNA SP94/41 f.74.

<sup>134</sup> Cardinal Infante to Philip, 31 August 1639, AGR SEG 223 ff.54-54v.

<sup>135</sup> Hopton to Coke, 18 May 1639, TNA SP94/41 f.101.

<sup>136</sup> Alcala-Zamora, *Mar del Norte*, p.396.

play a more active role in the event of a confrontation, but Hopton declared there would be no active support: “I tould him that hee must not expect from us that wee would bee hired to bee men of warr, but as merchant men & noe otherwise.”<sup>137</sup> The first five of the English ships, carrying some 1500 Spanish soldiers, preceded the main fleet, making the dangerous journey from A Corunna to Flanders at the end of June 1639. Dutchmen attacked this squadron in the Channel by Dutchmen and only two of the English ships, carrying 700 soldiers, were able to escape to the safety of English ports.<sup>138</sup> Enraged at Dutch disrespect for the English flag, Charles granted permission for the soldiers to march overland under arms to Portsmouth, whence they departed in English ships to Flanders, a decision which made the Dutch and French ambassadors livid.<sup>139</sup> Cardenas was pleased with this result and remained optimistic that the sovereignty of the seas could be made to serve the Spaniards’ purpose. Windebank offered assurances that the English patrols would operate with increased frequency, and Cardenas reported that large ships were routinely coming in and out of the Channel which he hoped would forestall more “exorbitancias” on the part of the Dutch.<sup>140</sup>

The crisis began to unfold on 18 September when the Spanish fleet under Antonio de Oquendo entered the Channel and fell under attack from 23 Dutch men-of-war under Admiral Tromp. Oquendo’s fleet numbered over 60 ships, but many of these were

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<sup>137</sup> Hopton to Windebank, 19 September 1639, TNA SP94/41 f.183. Alcala-Zamora, *Mar del Norte*, pp.412-413.

<sup>138</sup> Cardenas to Cardinal Infante, 1 July 1639, AGR SEG 369 f.292.

<sup>139</sup> Cardenas to Salamanca, 29 July 1639, AGR SEG 369 f.325.

<sup>140</sup> Cardenas to Salamanca, 2 September 1639, AGR SEG 370 f.53.

transports and unfit to fight. The warships among Oquendo's fleet were tasked first with protecting the transports, and never formed a battle line.<sup>141</sup> After inconclusive exchanges of fire, Oquendo took refuge in the Downs near an English force of 19 ships commanded by Vice Admiral Pennington.<sup>142</sup> Oquendo reported that his stores of gunpowder and other naval supplies were greatly depleted, and his cautious nature made him unwilling to attempt to break out without replenishment.<sup>143</sup> The Spanish admiral told Cardenas that he had corresponded with Pennington and implored him for assistance, but Pennington had refused to take any action, saying he had no orders. Cardenas was immediately suspicious, saying "I am assured they have secret orders not to fight and all this can be believed because here they do not proceed with much sincerity."<sup>144</sup> Whatever they could hope from Pennington, the most pressing order of business for the Spaniards was to procure the badly needed munitions for Oquendo's fleet during what developed into a stand-off lasting over one month. Cardenas complained bitterly that callous English merchants raised their prices recognizing the Spaniards' need, but he was still able to acquire the necessary stores through the intercession of Anthony Porter and even with some assistance from Pennington, who arranged the transport of wares out to the Spanish ships.<sup>145</sup> These efforts were hampered however, when authorities in the port of London

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<sup>141</sup> For the full description of the battle see: Alcalá-Zamora, *Mar del Norte*, pp.402-464.

<sup>142</sup> Andrews, *Ships, Money, and Politics*, p.154.

<sup>143</sup> Cardenas to Cardinal Infante, 23 September 1639, AGR SEG 370 f.76.

<sup>144</sup> Ibid. f.78v.

<sup>145</sup> Cardenas to Salamanca, 22 September 1639, AGR SEG 370 ff.80-80v. Alcalá-Zamora, *Mar del Norte*, pp.447-449.



stayed the purchased gunpowder, in light of a standing ban that Charles had issued on exporting munitions.<sup>146</sup> A similar roadblock appeared when Cardenas and Oquendo tried to hire some small English ships to carry over the Spanish soldiers in batches of thirty to forty, only to find that Charles had banned his subjects from transporting soldiers without his express permission.<sup>147</sup>

Angry at the hampering of his efforts and even more appalled at the inaction of the English fleet, Cardenas declared in a letter to Secretary Windebank that the Dutch attacks were a blatant assault on Charles's claimed sovereignty of the seas and that the English fleet's refusal to help the Spaniards was contrary to the Articles of Peace.<sup>148</sup> This was not lost on the English, and Cardenas reported the Privy Council meeting frequently and remaining in session late into the night to ruminate on the options. Captain Leslie, one of Charles's captains, submitted a report to the Council remarking that he was confident England could still muster strong naval forces despite the escalating troubles in Scotland. Leslie also added that assisting the Spaniards in this venture would oblige them to finally make good their promises to assist in the Palatinate matter.<sup>149</sup> Leslie was not mistaken, and during the month and a half-long standoff, Pennington's fleet was increased by a further 10 ships, armed merchantmen enlisted into royal service.<sup>150</sup> Charles and his ministers clearly hoped to extract some benefit from the situation and

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<sup>146</sup> Cardenas to Salamanca, 30 September 1639, AGR SEG 370 f.98.

<sup>147</sup> Ibid. f.98v.

<sup>148</sup> Copy of a Letter from Cardenas to Windebank, 26 September 1639, AGR SEG 370 f.103.

<sup>149</sup> Copy of a Letter from Captain Leslie, [undated] September 1639, AGR SEG 223 f.208.

<sup>150</sup> Andrews, *Ships, Money, and Politicis*, p.154.

Cardenas readily interpreted the many of the delays and obstacles encountered by Oquendo's resupply efforts as petty attempts for monetary concessions.<sup>151</sup> Kevin Sharpe also found that Charles's reluctance to issue decisive orders to Pennington was due at least in part to hopes that the Dutch or French agents at court would offer him a great sum of money.<sup>152</sup> Not coincidentally, Gerbier received instructions from Coke to take advantage of the circumstances and "renew your former instances with the Infant Cardinal and those Ministers there for restitution of what most unjustly and injuriously hath ben taken from his Majesties subjects by the Dunckerkers and others in Flanders."<sup>153</sup> Ultimately, the Privy Council decided to put to sea another 10 royal warships and 10 armed merchants and also sent Northumberland to Dover to deliver a proclamation asserting Charles's maritime rights and denouncing all violence in the Channel.<sup>154</sup> Cardenas recognized this as the moment of truth: "if in this occasion they make no positive act of the dominion they pretend in this Channel to impede the hostilities, it will demolish their pretension."<sup>155</sup>

Dutch admiral Tromp launched his decisive attack against the Spanish fleet anchored at the Downs on 21 October. Hearing the news a day later, and knowing that the battle was likely already decided, Cardenas filed another demand with Windebank for the English fleet to defend the seas, as much to let the record show that he had done his

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<sup>151</sup> Cardenas to Salamanca, 1 October 1639, AGR SEG 370 f.109.

<sup>152</sup> Sharpe, *Personal Rule*, pp.831-832.

<sup>153</sup> Coke to Gerbier, 7 October 1639, TNA SP77/29 f.368.

<sup>154</sup> Cardenas to Salamanca, 30 September 1639, AGR SEG 370 f.99.

<sup>155</sup> *Ibid.*

duty as in hopes of Charles's actually ordering Pennington to attack.<sup>156</sup> The same day Cardenas wrote to Brussels reporting that news from the ports claimed over 20 of the Spanish ships burned on the English coast. By this time Cardenas only half-hoped that in the face of such a bald violation of English territorial sovereignty, Charles would be forced to take definite action against the Dutch, noting "if in the present occasion this king who they tell me is greatly irritated with the Hollanders does not break off with them (which I very much doubt he will), it will demonstrate how little they esteem their reputation."<sup>157</sup> As more accurate reports came in over the next couple days, Cardenas became enraged with what he viewed as English duplicity and inconstancy. Charles belatedly ordered his ships to defend the burned hulks on the English coast and allowed the crews and soldiers to disembark and march overland to other English ports for transit to Flanders in English ships.<sup>158</sup>

Cardenas immediately took an audience with Charles at the first opportunity and protested the English fleet's failure to intervene, declaring that Charles had been disgraced before all the princes of Europe. Charles dismissed these claims pointing out the substantial aid granted to Oquendo's ships both before and after the battle in the form of munitions and victuals and later shelter, and brought forth copies of his orders to Pennington authorizing him to prevent a battle in the Downs. Windebank insisted that Charles could not be held accountable for Pennington's decision not to act more

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<sup>156</sup> Copy of Letter of Cardenas to Windebank, 22 October 1639, AGR SEG 370 f.154.

<sup>157</sup> Cardenas to Salamanca, 22 October 1639, AGR SEG 370 f.156v.

<sup>158</sup> Cardenas to Cardinal Infante, 29 October 1639, AGR SEG 370 ff.162-162v.

vigorously, and said that the vice admiral would be delivering a full report of his actions.<sup>159</sup> These orders appear to be a fabrication on Windebank's part, as it is clear Charles was taken by surprise by Tromp's attack, and thus lost his auction table with the Dutch and French emissaries.<sup>160</sup> All these responses did nothing to assuage Cardenas, who was evidently so appalled at the events in the Downs that he began suspecting the worst of Charles: "I have no reason to believe that the king is as angry as he is making show of, to the point that I can suspect that he secretly gave permission or consent to the Hollanders."<sup>161</sup> Gerbier reported the same reaction in Brussels, Charles being "suspected to have suffered their fleet to be set upon" and noting when taking audience with the Cardinal-Infante that "those of the court did frowne upon me (and mine) with a sad and grim aspect." The Cardinal-Infante himself told Gerbier "that his Majesty had lost more than the king of Spaine, for the King of Spaine said he could make other ships when would" but Charles had lost his credibility.<sup>162</sup> One of the Spanish ministers spoke very frankly regarding the sovereignty of the seas, sneering "it was no small disgrace for such a king who causeth flag to sticke in his sease, and to come short within his one ports."<sup>163</sup>

Hopton found the response in Madrid somewhat different, reflecting long-term goals Olivares had already set for Anglo-Spanish partnership. Even when news of the battle was still unknown, Hopton wrote to London that "I perceave the Conde is

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<sup>159</sup> Ibid. ff.163-164.

<sup>160</sup> Sharpe, *Personal Rule*, p.832.

<sup>161</sup> Ibid. f.164v.

<sup>162</sup> Gerbier to Coke, 29 October 1639, TNA SP77/29 f.402-402v.

<sup>163</sup> Ibid. f.403v.

preparing a proposition for his Majestie concerning the transportation of their men now and for the future which I wish might bee very well considered.”<sup>164</sup> Then when the reports from Flanders had arrived Hopton was spared the grilling received by Gerbier:

Att the first I found them soe wholly possessed with the apprehension of their losse and preoccupyed with sinister informations and ielousyes as it was not hard to discerne that they were not well pleased with us, But after they had thought of what I had said I found them very well satisfyed and doe acknowledge his Majesties curtesy, cleering him from any appearance of haveing failed in doing that which remains agreed on by the treaty of peace, and much less any thinge unworthy his Majesties honor or high quality<sup>165</sup>

Gerbier noticed a gradual change in Brussels as well, as the authorities took action to rein in the more extreme anti-English sentiments among the people:

Those of Dunquerque abuse the English there and with their informations and exclamations against England here, though as yett Gazettaries have had noe leave to vent such ressentments to the contrary as they speake in moderate termes of the English, they endeavoureth to disguise the blowes as much possible<sup>166</sup>

This softer attitude arose from the fact that Olivares had already hatched his idea for a new maritime treaty to achieve all that the aborted Neocolalde treaty had failed to deliver and more. The reasons were based not only in the ever-present need for definite maritime security but also in consideration of Charles’s noted difficulties in the face of the escalating rebellion in Scotland. Earlier in October when the standoff in the Downs remained undecided, Cardenas received instructions to propose a new agreement that would offer Charles a loan totaling 350,000 escudos; in return Charles would provide Channel security and allow the recruitment of some 10,000 Irish for the war in

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<sup>164</sup> Hopton to Cottington, 9 November 1639, TNA SP94/41 f.216.

<sup>165</sup> Hopton to Coke, 30 November 1639, TNA SP94/41 f.228.

<sup>166</sup> Gerbier to Coke, 5 November 1639, TNA SP77/29 f.422v.

Flanders.<sup>167</sup> On the eve of the Battle of the Downs, Cardenas initiated the discussions with Windebank but the battle soon diverted their attention elsewhere.<sup>168</sup> While England's actions in the Channel proved a major disappointment for Spanish plans, they were allowed to be swept under the rug in the interests of this new great matter. With its North Sea naval assets so scattered, Spain was also in much more dire need of maintaining the English Road, which necessitated procuring the protection of the English fleet.<sup>169</sup> To put affairs in motion, Philip IV wrote to his brother in November, "it appears that we should proceed with great prudence to overlook the grievances of the past" and commissioned him to name an ambassador extraordinary to send to England to negotiate the new treaty.<sup>170</sup> Accordingly, the Marquis de Velada would be dispatched from Flanders and the Marquis de Malvezzi from Spain to join Cardenas in England to undertake the great enterprise of 1640.<sup>171</sup>

## V. Conclusion

A survey of Anglo-Spanish maritime relations over the course of 1630s makes the different policy objectives of the two crowns of England and Spain become clear. For Spain, it was very simple: maintain lines of supply and communication between Spain

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<sup>167</sup> Cardinal Infante to Cardenas, 10 October 1639, AGR SEG 370 f.123.

<sup>168</sup> Cardenas to Cardinal Infante, 21 October 1639, AGR SEG 370 ff.147-148.

<sup>169</sup> Kepler, "Fiscal Aspects of the English Carrying Trade," pp.269-270.

<sup>170</sup> Philip to Cardinal Infante, 29 November 1639, AGR SEG 224 f.126v.

<sup>171</sup> See Chapter 6.

and Flanders while inflicting maximum injury on the Dutch. The maxim quoted by Gerbier, “war with all, peace with England” bore especially true in the 17<sup>th</sup> century, when the Spanish Netherlands, surrounded by hostile forces to both north and south. Sitting astride the sea route connecting Flanders and Spain, England offered the only realistic counterbalance to the forces of France and Holland. Thus Spain would try unceasingly to promote enmity between England and the Dutch and French. As the story of Necolalde’s maritime treaty makes clear, Spain was only interested in naval cooperation when it would necessitate Anglo-Dutch conflict and withdrew from any involvement in English naval policy when it was clear Charles had no intention of allowing it to do so.

England had two distinct interests. The first was to keep the ports and markets of Spain but most especially Flanders open to English merchants, who were so eager to sell their cloth they would endure the steep tax increases after the peace. While English vessels often ran into trouble with Dunkirkers and port authorities in Flanders, as discussed in the preceding chapter, the greatest threat to trade were the Dutch and French efforts to blockade the ports of Flanders. This was the reason Lindsey’s fleet sailed out into the Channel in 1635, and successfully warded off the French and Dutch force that had intended to ravage the Flemish coast. The second English objective was to build up naval power sufficient to either placate or threaten Spain into making common cause with England in negotiations with the Emperor for the restoration of Charles’s nephew the Prince Palatine to all his lands and titles. While not benefitting England in any real way, the issue of the Palatinate approached the level of obsession in Charles’s policy and its central importance in Anglo-Spanish relations will be explored more fully in Chapter 4.

With regard to maintaining maritime security, the Spaniards were content to do what they could of their own resources and so set the Dunkirkers loose in the Channel and North Sea only troubling to rein in the more egregious excesses. In the proposed maritime treaty negotiated by Necolalde in 1634, Spanish planners saw the opportunity to serve two purposes at once, as they could simultaneously guarantee the safety of communications with Flanders and bind the King of England to the cause of Spain, which appeared to make a break with Holland only a matter of waiting. They were willing to concede naval preponderance and even some recognition of the sovereignty of the seas to Charles if he would take their money and direct his fleets according to marching orders drawn in Madrid. Charles, consciously avoiding satellite status, chose to take the route of ship money and Spanish willingness to recognize his maritime claims fell off accordingly. In the ship money fleets, Charles had perhaps his greatest hope of achieving his twin ends. He could maintain his subjects' free traffic with Flanders and simultaneously oblige (by reciprocity or coercion) the Spaniards to make good their promises regarding the Palatinate. Ultimately however, as the details of the Palatinate negotiations would make repeatedly clear, Charles was his own worst enemy and his reluctant and non-committal approach to policy defeated all his purposes. Spain never trusted him because he would not break with the Dutch, and consequently gave him further cause for grievance by flouting his sovereignty of the seas and continuously postponing progress with the Emperor. Then when in impatience and frustration he turned to France and Holland, his unwillingness to break with Spain left him just as empty-handed. As Gerbier so aptly noted, in 1637-8 Charles had succeeded in amassing



a great naval force that had truly put fear in the hearts of the Spaniards, only to squander it on aimless cruises of the Channel and ineffectual posturing. Had Charles been more decisive with his fleet, either in taking the side of the Spaniards in 1634-5 or taking arms against them in 1637-8, the ship money fleet might have come to a more profitable end.

By 1639, both crowns had ample reasons to be dissatisfied with the state of their relations, as each saw its objectives under threat. Spain's efforts to secure the supply lines between the Iberian Peninsula and Flanders were maintained only with increasing difficulty each year, and the possibility that England might be moved to contribute their still substantial naval resources to Spain's enemies was simply unacceptable. Accordingly, Olivares labored amid the preparations for the ill-fated 1639 Armada to propose a new maritime treaty that would greatly expand upon the terms negotiated in 1634. Olivares had cause to be optimistic in that while Charles had balked at the Necolalde treaty's attempt to make him the King of Spain's client, his dire need in the face of the expanding Scottish crisis might oblige him to come to terms favorable to Spain. The Battle of the Downs served as something of a great equalizer, for in seeing their naval might in the North Sea crumble, the Spaniards became more dependent than ever on English ships to protect the coasts of Flanders and keep open the vital lifelines of men and material to the battlefield. The three-part mission of Cardenas, Velada, and Malvezzi in 1640 would thus become the critical period for Anglo-Spanish relations, promising a final resolution to nearly a decade of overtures, tenuous promises, and disappointments.

### Chapter 3: Balthasar Gerbier and the ‘Free Catholic States’

The preceding two chapters have well established Spain and England’s common interest in securing the ports of Flanders from foreign aggression. Spain regarded Flanders as an integral part of its European empire, and as the Eighty Years War demonstrated, would readily undertake any sacrifice necessary to preserve it in the King of Spain’s patrimony.<sup>1</sup> Even in 1633, when Olivares toyed with the idea of a strategic withdrawal from Flanders to better focus the Spanish monarchy’s energies elsewhere, he still insisted on the preservation of the precious Channel ports in Spanish hands, recognizing that these were essential to Spain’s power projection abilities in Northern Europe.<sup>2</sup> England was heavily invested economically in the region, as Flanders still provided the bulk of consumption for English cloth and wool. Additionally, English planners had to contend with the strategic necessity of guaranteeing that the Flemish coast and its numerous ports remained under the control of a benevolent power, lest an over-ambitious neighbor turn attentions to England’s long flat coastlines.<sup>3</sup> The 1634 maritime treaty negotiated by Juan de Neocolalde was one attempt to reach a common solution to the shared concern. Charles, as seen, balked at being constrained to take sailing orders from Madrid and chose the path of ship money, which was likewise an effort to guarantee English maritime security and the safe traffic of Charles’s subjects to

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<sup>1</sup> Elliott, *The Count Duke*, pp.65-68.

<sup>2</sup> Paper of Olivares, 14 April 1633, AGS E 2151 [unfoliated].

<sup>3</sup> R. B. Werhham, *The Making of Elizabethan Foreign Policy*, (Berkeley, 1980), pp.23-44.

the ports of Flanders. When Charles assured Necolalde and Henri Tailler that the English fleet would protect the merchant traffic to Flanders, the two diplomats' great satisfaction was easily matched by the effusions of relief from the English merchants.<sup>4</sup> These pleas with Charles to safeguard the Flanders coast were a perennial suit of the Spanish agents in London, who consistently built the case on the shared stake England and Spain had in the preservation of Flanders from the hands of the Dutch or French. In one petition in 1638, Alonso de Cardenas even went so far as to call Charles the "most interested" in keeping Flanders Spanish.<sup>5</sup> Even as late as 1639, when Charles was facing the increasingly volatile rebellion in Scotland, he still found it prudent to commit to using his ships to guarantee the safety of the Flemish ports.<sup>6</sup>

While throughout the 1630s Charles's best bet for securing his interests with Flanders was in amicable relations with Spain, in 1632-1634 Balthasar Gerbier, his agent in Brussels, presented him with an alternative. The great noble families of Flanders had never fully accustomed themselves to rule by a remote monarch. In addition to the general dissatisfaction with access to the royal person and favor often levied by nobles in secondary capitals, magnates of Charles's kingdom of Scotland no exception, the Flemish nobility still carried memories of the harsh persecutions and heavy-handed rule that Spain had imposed upon them in the days of the Duke of Alba. Among the many episodes in severity that marked that period, the execution of the Dukes of Egmont and Horne, two of

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<sup>4</sup> Tailler to Della Faille, 25 May 1635, HNSA PC 65 f.415v.

<sup>5</sup> Cardenas to Salamanca, 2 July 1638, AGR SEG 368 f.47v.

<sup>6</sup> Cardenas to Salamanca, 24 June 1639, AGR SEG 369 ff.243v-244.

the greatest nobles in Flanders, for treason was particularly traumatic and echoed long in the consciousness of the Flemish aristocracy.<sup>7</sup> The “sovereignty” vested in Archduke Albert and Archduchess Infanta Isabella after Philip II’s death in 1598 was in some ways a corrective to centrifugal tendencies, for it accorded substantial degrees of autonomy to the provinces of Flanders, even as the military affairs and foreign policy of the Archdukes remained fixed to those of Spain.<sup>8</sup> The death of Archduke Albert in 1621 and the reversion of the provinces of Flanders to direct Spanish sovereignty, albeit under the continued governorship of the Infanta Isabella, thus became a new source of tension as Flemish magnates strove maintain their regional authority and autonomy. The Council of State in Brussels, which had become a centralized organ of state power for all the provinces of the Spanish Netherlands became an uneasy common space for leaders of great Flemish families and an assortment of Spaniards who enjoyed the favor of Madrid.<sup>9</sup> In this climate, made more tense through the increased external pressures on Spanish rule in the form of renewed Dutch assaults under Prince of Orange Frederik Hendrik, a “nobles’ conspiracy” took root in 1632-1634 and aimed to separate Flanders from

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<sup>7</sup> Israel, *The Dutch Republic*, 156-157. See also a detailed discussion of Alva’s program: Gustaaf Janssens, *Les comtes d’Egmont et de Hornes, Victimes de la repression politique aux Pays-Bas espagnols*, (Brussels, 2003).

<sup>8</sup> Charles Howard Carter, “Belgian ‘Autonomy’ under the Archdukes, 1598-1621,” *Journal of Modern History*, 36, (1964), pp.245-259. Werner Thomas, “Andromeda Unbound: the Reign of Albert and Isabella in the Southern Netherlands, 1598-1621,” Thomas and Overbo, Eds. *Albert and Isabella 1598-1621: Essays*, (Turnhout, 1998), pp.1-13. Werner Thomas and Eddy Stols, “La integracion de Flandes en la Monarquia Hispanica,” Verdonde, Ed. *Encuentros en Flandes*, pp.1-73.

<sup>9</sup> Rene Vermeir, “L’ambition du pouvoir: La noblesse des Pays-Bas meridionaux et Philippe IV (1621-1648),” *Revue du Nord* 87, (2005), pp.89-115, esp. pp.91-95.

Spanish obedience and establish it as either an independent state in its own right, or enter it in federation with one of the neighboring powers.<sup>10</sup>

Historians of Belgium have naturally taken interest in this conspiracy, but have generally viewed it in context of long-term trends of “Hispanicization” of the Spanish Netherlands. Indeed 1634 marks the end of the “post-archiducal era” described by Alice Esteban-Estringana in her recent study of the gradual exclusion of the vestigial autonomies during the Infanta Isabella’s tenure as governor. The failure of the conspiracy facilitated the purge of the Flemish aristocracy from all positions of power and influence, most notably the Council of State, and left control firmly in the hands of Spaniards and Flemish who were loyal to Madrid above all else.<sup>11</sup> The most notable of these was Pierre Roose, whose arrival amidst the crisis with direct orders from Olivares catapulted him to total dominance of affairs in the Spanish Netherlands until 1647.<sup>12</sup> Discussions of the foreign interest in the conspiracy are generally restricted to the

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<sup>10</sup> Elliott, *The Count-Duke*, pp.469-471. Israel, *The Dutch Republic*, pp.515-516. Paul Janssens, “L’echec des tentatives de soulèvement dans les Pays-Bas meridionaux sous Philippe IV,” *Revue d’Histoire diplomatique*, 92, (1978), pp.110-129. Theodore Juste, *Conspiration de la noblesse belge contre l’Espagne en 1632*, (Brussels, 1851). Rene Vermeir, “De hertog van Aarschot en de adellijke samenzwering van 1632-1633,” *Het Oude Land van Aarschot* 33, (1998), pp.61-82. Albert Waddington, *La Republique des Provinces Unies, la France, et les Pays-Bas espagnols de 1630 a 1650* (2 vols.), (Paris, 1895), i, pp.145-180.

<sup>11</sup> Rene Vermeir, “Le duc d’Arschot et les consequences de la conspiration des nobles (1632-1640),” Hugo Soly and Rene Vermeir Eds., *Beleid en bestuur in de oude Nederlanden. Liber Amicorum Prof. Doc. M. Baelde*, Gent, 1993, pp.225-240.

<sup>12</sup> H. De Schepper, “De institutionele hervormingen van 1632 in de regering van de Koninklijke Nederlanden,” P. Goofin, Ed., *Liber Amicorum Prof. Doc. Jan Gilissen*, (Antwerp, 1983), pp.89-105. Alicia Esteban Estringana, “La crise defensiva de 1629-1633 et le début de la preeminence institutionnelle de Pierre Roose dans le gouvernement general du Pays-Bas Catholiques,” *Revue Belge de Philologie et d’Histoire* Vol. 76, (1998), pp.939-977. Rene Vermeir, “The limits of a composed monarchy. Pierre Roose, factotum of the Count-Duke of Olivares in the Spanish Netherlands,” *Dix-septieme Siecle*, (2008), pp.495-518.

Continent, particularly the high hopes many nobles had for collusion with Cardinal Richelieu in achieving their ends.<sup>13</sup> Gerbier's key role in the final act of the drama, in which he betrayed the conspirators to the Spaniards, is amply recorded, but his year and a half of negotiations is not.

Gerbier's part in the conspiracy and the shocking truth of his unilateral decision to turn the Flemish nobles over to the Spaniards present a fascinating case study of the external aspects of Charles's personal rule. Hindsight of the sort practiced by S. R. Gardiner in his famous characterization of Charles's foreign policy as "futile diplomacy" has long made the notion of Charles's intervention on the Continent seem implausible. Indeed, Theodore Juste, writing his 19<sup>th</sup> century account of the conspiracy even dismissed entirely that the conspirators could have approached England, saying that Charles was far too weak to have offered any assistance.<sup>14</sup> Nevertheless, the fact remains that the Flemish nobles in 1632 did view Charles's England as sufficiently strong to be a plausible third option from subjection to either France or the Dutch Republic, believing England to be powerful enough to guarantee their independence against not only these powers but also Spain. Charles's negotiations demonstrate the true limitations behind this image of power. He was consistently unwilling to ever offer the conspirators any decisive commitment, and his wavering increased with the desperation of the situation in Brussels. A further illustration of the state of Charles's capacities, Gerbier's motive for selling out the Flemish nobles was the fact that Charles had been unable to pay him his due wages

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<sup>13</sup> In addition to above, see: Paul Janssens, "La Fronde de l'aristocratie belge," Werner Thomas and Bart de Groof, Eds., *Rebellion y Resistencia en el Mundo Hispanico del Siglo XVII*, (Leuven, 1992), pp.23-40.

<sup>14</sup> Juste, *Conspiration*, pp.63-64.

for over a year of his residency in Brussels. Desperate for money and frustrated by his master's dithering, Gerbier evidently felt no compunction about taking matters into his own hands.

### **I. Balthasar Gerbier, agent at Brussels**

Amidst the chaos that enveloped the Spanish Netherlands in 1632-34, the English agent Balthasar Gerbier soon found himself not only an observer but an active participant in the country's internal affairs. As the story of his role makes abundantly clear, he carried himself as much as his own servant as that of the King of Great Britain. This being the case, some knowledge of his background and thitherto doings is illustrative. Gerbier's career in international relations began long before his residency began in 1631, going perhaps to his parentage and birth. Details of Gerbier's personal and family history are murky, as his own claims were inconsistent and deemed unreliable even by his contemporaries. Among other inconsistencies, he late in life affected the title "Baron d'Ouvilly" which was also borne by his son George Gerbier.<sup>15</sup> In 1636, when accused by some Spanish ministers to be of Dutch origins, Gerbier claimed that while it was true he had been born in Zeeland, his ancestors included a "great grand mother daughter to Emperor Charles the fifth high steward & my great grand father a french nobleman of normandie." Gerbier declared the family had adopted the Reformed religion during the

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<sup>15</sup> Jeremy Wood, "Gerbier, Sir Balthazar 1592-1663/1667," *Oxford Dictionary of National Biography* (Online ed.), 2004.

early phases of the Wars of Religion in France and then had fled the St. Bartholomew's Day massacre.<sup>16</sup> After the couple settled in Middelburg, Antonie Gerbier's wife Radigonde Blavet gave birth to Balthasar in 1592. Of some means and being a painter of employable skill, Gerbier was well connected enough to accompany an embassy from the States General to London in 1616. There he made the acquaintance of George Villiers, later Duke of Buckingham, who took Gerbier into his service in 1619. Shortly thereafter, petitioning for naturalization, he was "turned to a right Englishman."<sup>17</sup>

It was while in the employ of the Duke of Buckingham that Gerbier's diplomatic career began. Buckingham employed him to travel about purchasing art treasures for the Duke's collections and Gerbier and thus became familiar with the courts of Italy, France, and the Low Countries. Gerbier was intimately attached to all of Buckingham's affairs, even accompanying the Duke and Prince of Wales on their journey to Madrid in 1623.<sup>18</sup> It was during the war of 1625-30 that Gerbier became as much Charles's servant as Buckingham's by facilitating the opening of Anglo-Spanish peace negotiations in 1626 through meetings with fellow painter and diplomat, Peter Paul Rubens.<sup>19</sup> Gerbier's penchant for maintaining dubious connections, if not outright double dealing, manifested itself early. Richard Weston, the Lord Treasurer and the courtier best positioned to fill the

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<sup>16</sup> Gerbier to Coke, 5 July 1636, TNA SP77/26 f.215.

<sup>17</sup> Wood, "Gerbier." Paul Jean Joseph Henrard, *Marie de Medicis dans les Pays Bas, 1631-1638*, (Brussels, 1876), p.439.

<sup>18</sup> Wood, "Gerbier."

<sup>19</sup> William Sainsbury, Ed., *Original Unpublished Papers Illustrative of the Life of Sir Peter Paul Rubens*, (London, 1859), pp.68-146. Jean Paul Le Flem, "Un artista-diplomatico en el tiempo de Olivares: Pierre-Paul Rubens," *La España del Conde Duque de Olivares*, (Valladolid, 1990), pp.173-176.



vacuum following Buckingham's assassination, found it prudent to excuse Gerbier from any further role in the peace negotiations after it was discovered in 1628 that he was in regular personal contact with various officials in the Dutch government.<sup>20</sup> Gerbier protested to Cottington at his removal, declaring:

Therefore great injustice was done to Gerbier, by fearing that the intimacy he had with Holland could be disadvantageous, and that it was not possible that he would not let some word escape; on that account the Lord Treasurer could not resolve to trust him. This was a poor argument against Gerbier's fidelity who knows how to distinguish between persons and affairs<sup>21</sup>

Gerbier was never restored and though he hosted Rubens in England during the final stages of the negotiations, Rubens wrote to Brussels that Gerbier's role was merely that of an "innkeeper."<sup>22</sup>

Despite the suspicions of Weston, Charles was evidently pleased enough with Gerbier to name him as his resident agent in Brussels following the conclusion of the peace. Brussels soon became a center of attention when Marie de Medici, Queen Mother of France and mother-in-law to both Charles and Philip, arrived in the summer of 1631 fleeing the enmity of Richelieu.<sup>23</sup> The Queen Mother quickly made plain that she intended to continue to intrigue against Richelieu from outside France and that part of her intent in leaving the country was to enlist foreign allies toward this end. Charles for his part wanted nothing to do with French palace plots, and set a standing directive for

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<sup>20</sup> Sainsbury, *Original Unpublished Papers*, pp.144-146.

<sup>21</sup> Sainsbury, Gerbier to Cottington, 27 February 1630, *Original Unpublished Papers*, p.144. While Gerbier's ego was of prodigious size, the use of third person here is due to the fact that in the original manuscript his name was obscured in numeric code.

<sup>22</sup> *Ibid.* p.144.

<sup>23</sup> Gerbier to Dorchester, 21 July 1631, TNA SP77/20 f.67.

Gerbier to exercise all means to keep the Queen Mother from ever coming to England, fearful of the costs of her entertainment and not wishing to be suspected as her accomplice.<sup>24</sup> Despite these strict instructions, and perhaps arising from rumors that Buckingham's assassination was at Richelieu's behest, Gerbier allowed himself to be drawn into Marie's schemes and wrote several impassioned letters to England begging Charles to support her anti-Richelieu plans.

Charles and his secretary of state, Dudley Carleton, the Viscount Dorchester, were appalled at Gerbier's willingness to intrude in *arcana imperij* and to fill his correspondence with imprudent remarks and scandalous imagery such as one fanciful description of Richelieu's skewered corpse adorned with the words "Vivat Memoria Buckinghamij."<sup>25</sup> Dorchester chastised Gerbier in a subsequent letter telling him that as letters could be intercepted, he needed to be more tactful in his correspondence which "it seemes you forgot in playing too freely with your penne uppon the Cardenal de Richelieu in your recital of Queen Mother's escape."<sup>26</sup> More pressingly, he forbade Gerbier to ever conduct any sort of negotiations without the express permit of his royal master:

But I must plainly tell you and by his Maiesties expresse order that in some things which passed betwixt you and Queen Mother you went too farre, particularly in the point of sending an extraordinarie Ambassador into France uppon her occasions which how important so ever they are (and greater they can not well be than those you advertise) yet are you not to anticipate his Maiesties deliberations and resolutions<sup>27</sup>

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<sup>24</sup> Dorchester to Gerbier, 1 October 1631, TNA SP77/20 f.150.

<sup>25</sup> Gerbier to Isaac Wake, 16 August 1631, TNA SP105/7 [unfoliated].

<sup>26</sup> Dorchester to Gerbier, 18 August 1631, TNA SP77/20 f.112v.

<sup>27</sup> *Ibid.* f.109v.

Gerbier would make the effort to at least appear to be more discerning in his speech and actions from then on. While receiving his reprimand from Dorchester somewhat sheepishly, Gerbier refused to simply accept responsibility for the offense and attempted to explain it away as Dorchester's misunderstanding of "pur et simple naratiff" and that his projected plans for Charles's role in an anti-Richelieu conspiracy were merely a suggestion.<sup>28</sup> While these exchanges could be viewed as the awkward adjustment period of a novice diplomat, they might be better interpreted as further evidence of Gerbier's scheming and arrogating nature.

Quickly gaining a taste for Gerbier's methods of dealing, the Spanish ministers in Brussels grew to dislike him and were aloof when not outrightly hostile. Gerbier preferred to attribute this to his vigor in pressing for the adjustment of the cloth duties and restraint of the Dunkirkers; "I believe that I am not being maintained here [to be liked] and it will be a greater consolation to be remembered as having lived here a faithful servant to my king."<sup>29</sup> By the summer of 1632, as the military situation in Flanders deteriorated, Gerbier became aware of a movement among the Spanish ministers against him. Rubens, ever Gerbier's friend, quietly warned him that the Infanta was being pressed from various corners to demand his recall.<sup>30</sup> Either convinced of Gerbier's trustworthiness, or for other reasons unknown, Charles refused to countenance any such

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<sup>28</sup> Gerbier to Dorchester, 26 August 1631, TNA SP77/20 f.124.

<sup>29</sup> Gerbier to Dorchester, 16 December 1631, TNA SP77/20 f.349.

<sup>30</sup> Gerbier to Coke, 3 July 1632, TNA SP77/21 f.292v.

requests and assured Gerbier that he would remain in place.<sup>31</sup> Henri Tailler and Juan de Necolalde found nothing positive to say about Gerbier, and wrote frequently of their observations in London of his political maneuverings through his correspondence with members of the English court. Not only did Gerbier continue to participate in the constant posturing of court factions, such as the anti-Spanish camp of which the Earl of Holland was a member, but the two agents also accused him of spreading disagreeable reports among anti-Spanish courtiers and even attempting to color the mind of Charles against the Habsburg cause. Tailler wrote from London:

You would not believe how much well-inclined people, as well as those great ones close to the king, revile him and take him for an evil instrument. One of the most trusted confidants of the Grand Treasurer assures me that he has given the king very pernicious reports on the state of affairs in Flanders and in Germany, while to the Treasurer and Cottington he has been more moderate, knowing that their humor is not as violent or passionate against the House of Austria as the Scottish and Puritan ministers<sup>32</sup>

When Gerbier visited London in the summer of 1633 both Tailler and Necolalde made a point of shunning him whenever possible, believing his every action to be rife with deceit and treachery.<sup>33</sup> Through third party sources, Tailler heard that Gerbier had petitioned Charles in tandem with the French ambassador to send some seven or eight thousand men to aid the Protestant forces in Germany, and that everywhere he demonstrated “his evil inclination to us, testified to every day by his contemptuous news

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<sup>31</sup> Gerbier to Coke, 7 August 1632, TNA SP77/22 f.45.

<sup>32</sup> Tailler to Della Faille, 3 June 1633, HHSA PC 65 f.149.

<sup>33</sup> *Ibid.* f.149v

reports and mockery of our forces.”<sup>34</sup> The two Habsburg diplomats both made requests to Charles that Gerbier not be sent back to Brussels, but instead be replaced by someone less openly opposed to Habsburg interests.<sup>35</sup> Cottington relayed that Charles had expressed some openness to the idea, but ultimately Gerbier would cross the Channel to resume his post. Tailler reported that Cottington and most especially Weston were as displeased with Gerbier as he and Necolalde were, stating that Gerbier’s bad reputation sprouted “from the mouth of the Treasurer-General and from his intimate friends.”<sup>36</sup> As will be made clear below, Gerbier’s presence in Flanders was essential at that stage of Charles’s diplomacy and indeed his journey to London had been an integral part in Charles’s deliberations about the conspiracy unfolding within the Flemish nobility. Gerbier’s notorious bad relations with Weston, and especially the Lord Treasurer’s unyielding refusal to give Gerbier any money, would also play a key role in the events of late 1633.

## **II. Spain’s fortunes in Europe and unrest in Flanders**

Philip II’s reign had seen Spain embroiled in war after war until by his death the kingdom was locked in conflict with not only the rebel Dutch provinces but the English and the French as well. Signing treaties with France in 1598, England in 1604, and

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<sup>34</sup> Tailler to Della Faille, 27 May 1633, HHSA PC 65 f.143-143v.

<sup>35</sup> Tailler to Della Faille, 10 June 1633, HHSA PC 65 f.153v.

<sup>36</sup> Tailler to Della Faille, 17 June 1633, HHSA PC 65 f.158.

finally a truce with the Dutch Republic in 1609, Spain was able to enjoy a momentary peace. For Spanish planners the peace was not intended to be permanent, rather it was to allow the monarchy a chance to get its affairs in order so as to be all the more effective in the next round of warfare.<sup>37</sup> This was especially true in the case of the Dutch, with whom the agreement was not a true peace, but a mere armistice, the Twelve Years' Truce.<sup>38</sup> When Frederick V of the Palatinate usurped the Bohemian throne and thus set in motion the first stages of the Thirty Years War, Spanish planners were divided among themselves how best to respond. Ultimately, however Philip III decided to support his Austrian cousin and deployed Spanish troops to help Ferdinand II shatter his Bohemian rebels and overrun the Palatinate.<sup>39</sup> Apart from Habsburg solidarity, the integrity of the Holy Roman Empire and the disposition of the lands of the Lower Palatinate, which sat upon the Rhine, were vital to maintaining the crucial Spanish Road lifeline between Milan and Brussels. By 1621, the Twelve Years' Truce expired, but not before a long period of debate in Madrid, Brussels, and the Hague on whether or not it should be extended.<sup>40</sup> Archduke Albert, acting on his knowledge of the dire state of the provinces of Flanders and encouraged by faulty intelligence passed on by his agent in London, Jean-Baptiste Van Male, desperately sought permission from Madrid to negotiate a

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<sup>37</sup> Paul Allen, *Philip III and the Pax Hispanica*, (New Haven, 2000). Dr Allen's work demonstrates the formation of the Spanish ministers' "peace strategy" as while as its gradual and at times reluctant implementation.; See also: Peter Brightwell, "The Spanish system and the Twelve Years' Truce," *English Historical Review*, 89, (1974), pp.270-292. J. H. Elliott, "A question of reputation? Spanish foreign policy in the seventeenth century," *Journal of Modern History*, 55, (1983), pp.475-483.

<sup>38</sup> Israel, *The Dutch Republic*, pp.399-405.

<sup>39</sup> Elliott, *The Count-Duke*, pp.56-60.

<sup>40</sup> Ibid. pp.60-65. Israel, *The Dutch Republic*, pp.471-474.

renewal of the Truce, but neither Madrid nor the Hague proved sufficiently interested, and war duly recommenced in late March 1621.<sup>41</sup> Breakdown of the Spanish Match negotiations and growing tensions over the fate of James I's son-in-law, the Elector Palatine, propelled Spain and England to go to war in 1625. By 1630, as the war in Germany continued to escalate with the entry of Sweden into Germany, and as Richelieu contested the Mantuan succession, Spain was eager to shake off some of the many conflicts which were then putting great strain on the Monarchy's resources.

Through a lengthy negotiation that lasted nearly as long as the war itself, the Anglo-Spanish War came to an end in 1630. Parceled in with the treaty terms was a provision agreed to by Charles and Cottington that England would intercede in the Hague to negotiate a peace with Spain.<sup>42</sup> The Dutch, resentful of England's separate peace with the Spaniards, and eager to acquire a new French alliance, rejected Charles's offers of mediation.<sup>43</sup> While it is debatable to what extent the Spaniards seriously placed confidence in English mediation, any relief of pressure on Flanders would have been welcomed. The Spanish position in Flanders was all the more tenuous because of the Mantuan war, which stretched Spain's military forces. The war in Italy came to an end in June 1631, at which point Olivares hoped to re-deploy Spain's armies to aid the cause in Flanders.<sup>44</sup> Olivares's hopes to focus singularly on Flanders were dashed as Gustavus

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<sup>41</sup> Charles Howard Carter, *The Secret Diplomacy of the Habsburgs*, (New York, 1964), pp.213-265.

<sup>42</sup> L. J. Reeve, *Charles I and the Road to the Personal Rule*, (New York, 1989), p.253. See Chapter 4, II.

<sup>43</sup> *Ibid.* pp.261-262.

<sup>44</sup> Elliott, *The Count Duke*, pp.402-406.

Adolphus's movements in Germany once again threw everything in peril. At Breitenfeld in August, the Swedes inflicted a terrible defeat on the Imperial army and the Spanish Road was threatened, obligating the diverting of more forces away from Flanders.<sup>45</sup>

Flanders was in a truly miserable state by 1631, and Gerbier arrived to find the population groaning under the heavy wartime taxes and the constant threat of invasion:

The state is in such a low ebbe, that iff the king of Sweden in this conjuncture the French king being at the frontiers should jointly with the Hollanders send a cartel deffiance the country would rune hazard to cast off the Spagniards, and it is come to this point that they march towards the frontiers with much Caution for they feare the people now more then ever, who in good earnest are secretly consulting how they might free themselffe of the yock an make themselffe a free staet which as I conseave weare a happy buisnies for them and for many<sup>46</sup>

Gerbier had reason to suspect such a conspiracy since already in 1629-30 there had been a similar threat of revolution. Tired of Dutch and English attacks on their shipping, and above all tired of the war against the northern provinces and the heavy tolls in both men and money, the population grew restive and the government of the Infanta Isabel veered on collapse as a general revolt appeared imminent.<sup>47</sup> During the peace negotiations with Spain, the English were even approached by some individual Flemish who sought English support for a prospective uprising. In March 1630, Dorchester wrote to Cottington, "I will say this only of the matter, that the expulsion of the Spanyards out of those provinces is in more mens mouthes than one; and I will assure you, I have a project

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<sup>45</sup> Parker, *Army of Flanders*, pp.218-219.

<sup>46</sup> Gerbier to Unknown, 28 December 1631, TNA SP77/20 f.360.

<sup>47</sup> Elliott, *The Count Duke*, pp.388-392. Alicia Esteban Estringana, *Madrid y Bruselas*, (Leuven, 2005), pp.181-182. Jonathan Israel, "España y los Países Bajos españoles durante la época de Olivares, 1621-1643," *La España del Conde Duque de Olivares*, (Valladolid, 1990), p.117.



in my hands presented to his Majesty for this purpose.”<sup>48</sup> Eager to sign the peace with Spain, England never offered aid to Flemish rebels, and through adroit handling by ministers both in Spain and Flanders, order was restored in Brussels.<sup>49</sup> While Spain could breathe a sigh of relief when no general revolt materialized, this near miss left Flanders in an extremely precarious position.

The general contentment or distress of the people was directly related to the fortunes of the Spanish military machine in Flanders. In 1631, Gerbier reported that the Army of Flanders was well provisioned and in good order, but that its commanders were loath to commit it to any sort of action as it represented the bulk of their military assets in the region and its loss would be a complete disaster.<sup>50</sup> The chronic inactivity continued through the summer until a sudden decision, the brainchild of John of Nassau, to attack the Dutch by water over the Scheldt. The resulting Battle of the Slaak which took place over 12-13 September 1631 was a complete fiasco resulting in the loss of some four thousand soldiers and two thousand mariners. Finding themselves entrapped by waiting Dutch naval forces, the Spanish transports hastily unloaded the soldiers onto scattered islets in the Scheldt estuary, where they were quickly captured by Dutch reinforcements. Gerbier, as usual making no pretence at impartiality, gleefully reported the “tragicomedie” to London, noting that it had definitively tipped the local balance of

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<sup>48</sup> Dorchester to Cottingham, 31 March 1630, Sainsbury, *Original Unpublished Papers*, p.149.

<sup>49</sup> Elliott, *The Count-Duke*, pp.404-406. Jonathan Israel, “Olivares and the government of the Spanish Netherlands,” *Empires and Entrepots*, pp.175-178. Waddington, *Les provinces unies*, i, pp.100-105.

<sup>50</sup> Gerbier to Wake, 14 July 1631, TNA SP105/7 [unfoliated].

power in favor of the Dutch.<sup>51</sup> Worries in Brussels continued to grow as reports had arrived from Holland saying the Prince of Orange had sworn to be in Bruges by Christmas.<sup>52</sup>

While Prince Frederik Hendrik failed to keep his promise, his expectation to winter in Bruges was not unjustified given the disorganized state of Spanish defenses in the aftermath of the Slaak. Accordingly, all through the autumn of 1631 the Spaniards tried to shore up the provinces' defenses by bolstering the border forts, raising new tercios of Walloon infantry, and demanding new grants of money from the provincial States to pay for it all. To add to the burdens heaped on the provinces of Flanders, the Swedes were continuing their march across Germany, and the generals in Brussels had dispatched some ten thousand men at considerable expense to guard the Lower Palatinate.<sup>53</sup> The provincial States were in uproar at these new fiscal demands as well as the ongoing and never-abating trials of wartime, and many simply refused to pay.<sup>54</sup> Gerbier wrote to Charles that in the provincial States of Artois, "Rebellion is observed in their Eyes, harts, and tongues, soe that they looke for a deliverance they wish for a Conquerour, and speake their unwillingnes to all for any contribution." The other provinces, Gerbier added, were of like mind.<sup>55</sup> The memory of the preceding year's distempers was still fresh, and the Infanta took it upon herself in December to dispatch

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<sup>51</sup> Gerbier to Cottington, 16 September 1631, TNA SP105/7 [unfoliated].

<sup>52</sup> Gerbier to Weston, 30 June 1631, TNA SP105/7 [unfoliated].

<sup>53</sup> Esteban Estringana, *Madrid y Bruselas*, p.176.

<sup>54</sup> Gerbier to Dorchester, 6 December 1631, TNA SP77/20 f.321v.

<sup>55</sup> Gerbier to Charles, 19 December 1631, TNA SP77/20 f.339.

Peter Paul Rubens to Holland in an ultimately vain attempt to seek a treaty with the Dutch “to give the fatal stroke unto Mars, and life unto this State, and the Empire.”<sup>56</sup> Philip, feeling the pinch in Madrid, fully approved of these proceedings and instructed the Infanta to offer his genuine thanks to Marie de Medici, whose intervention with the Prince of Orange had facilitated the talks.<sup>57</sup> By May 1632, Gerbier reported that Rubens had returned empty handed, and as if to leave no doubts as to the state of his talks, the Prince of Orange in a moment of bravado sent letters to the City of Bruges asking for two months advance contributions to pay for their own liberation.<sup>58</sup>

The Infanta had succeeded in persuading the Church to offer some funds to the government, and the ecclesiastics agreed to appeal to their congregations to open their purses for a special Easter contribution to supply the burgeoning costs of the army.<sup>59</sup> Despite these measures however, military finances remained in a deplorable state, and Gonzalo de Cordoba who commanded the force the Infanta had sent to defend the Palatinate against the Swedes, wrote in May warning that his army was on the verge of mutiny for want of pay.<sup>60</sup> The pressing advances of the Prince of Orange made the Spaniards consider risking losing the Palatinate to Gustavus Adolphus as Cordoba’s

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<sup>56</sup> Ibid. f.338.

<sup>57</sup> Philip to Infanta, 15 September 1631, AGR SEG 204 f.115.

<sup>58</sup> Gerbier to Coke, 28 May 1632, TNA SP77/21 f.207-207v.

<sup>59</sup> Gerbier to Coke, 31 March 1632, TNA SP77/21 f.123.

<sup>60</sup> Gerbier to Coke, 28 May 1632, TNA SP77/21 f.207v. Esteban Estringana, *Madrid y Bruselas*, pp.248-249.

troops were sorely needed in Flanders.<sup>61</sup> Antwerp, feeling particularly exposed, was consumed with terror at the movements of the Dutch army and attempted to recall all its militia forces from the main Army of Flanders. To remedy the situation, the Infanta and the council gave orders to muster three thousand more troops, but to raise the necessary funds proposed a new tax that would fall on the traditionally exempt clergy and nobility.<sup>62</sup> These measures prompted a new round of unrest in Brussels. Some major nobles such as the Prince of Barbançon flatly refused to pay any such tax, while an attempt was made on the life of the Cardinal de la Cueva, one of the Spaniards on the Privy Council. Gerbier reported that the people of Brussels were supportive of these occurrences and were also circulating rumors that the Prince of Orange had promised toleration of the Catholic faith in the event of conquest.<sup>63</sup> Frederik Hendrik's designs, which had been the subject of much speculation in Brussels during the preceding weeks, finally became apparent when his army besieged Maastricht in June. Maastricht was one of the major fortified towns in the Spanish Netherlands and its loss would be considerably damaging to the Spanish military position as it would threaten to cut off the routes of reinforcements from friendly states in Germany. Arguably worse than the strategic disaster that would result from the city's fall was the blow it would deal to the morale of the Provinces. During this time, the Infanta wrote frantic reports to Madrid

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<sup>61</sup> Gerbier to Coke, 9 June 1632, TNA SP77/21 f.236v.

<sup>62</sup> Gerbier to Coke, 12 June 1632, TNA SP77/21 f.240v.

<sup>63</sup> Ibid. f.241. Juste, *Conspiration*, pp.33-34.

begging for reinforcements and warning that if Maastricht fell, the whole of the Spanish Netherlands was apt to revolt.<sup>64</sup>

The Dutch advance through Spanish territory to Maastricht was greatly aided by the defection of Count Hendrik van den Bergh to Orange's army in the same month.<sup>65</sup> Van den Bergh had previously been a commander of the Army of Flanders with limited effectiveness and skill.<sup>66</sup> After his act of treachery, Van den Bergh fled to Liege, from where he delivered a pair of incendiary letters to the Infanta and the army and to the towns and people of Flanders enumerating the failures of the Spaniards and calling for a general uprising.<sup>67</sup> The Spaniards were predictably perturbed by this turn of events and immediately feared a repeat of the close call of 1629-30. Philip was furious when he learned of Van den Bergh's actions and ordered the Infanta and the council to take whatever measures they could to kill him and any who responded to his calls for rebellion.<sup>68</sup> In the aftermath, the clergy and three of the greatest princes of the Spanish Netherlands, the Duke of Arschot and the Princes of Barbançon and Espinoy, had formed a party to press the Infanta to renew peace negotiations with the Dutch and recall the

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<sup>64</sup> Points of the letters of the Lady Infanta and ministers of Flanders from 30 May until 16 June 1632, AGS E 2046, 85 [unfoliated].

<sup>65</sup> Israel, *The Dutch Republic*, pp.515-516. Juste, *Conspiration*, 35-41. Parker, *Army of Flanders*, p.47. J. J. Poelhekke, *Frederik Hendrik, Prins van Oranje: Een biografisch drieluik*, (Zutphen, 1978), 372-374.

<sup>66</sup> Van den Bergh's clumsy maneuvers were to blame for the loss of Wesel in 1629 and arguably contributed to the subsequent fall of s'-Hertogenbosch. Ibid. pp.176-179.

<sup>67</sup> Esteban Estringana, *Madrid y Bruselas*, p.188. Waddington, *Les Provinces-Unies*, i, pp.159-161. Letters of Count de Berghe to the Infanta and declaration to troops, and to the Notables and towns of the Low Countries, 18 June 1632, TNA SP77/21 ff.245-252. Gerbier to Coke, 3 July 1632, TNA SP77/21 f.288v.

<sup>68</sup> Philip to Infanta, 16 July 1632, AGR SEG 205 f.103.

Flemish troops from the Palatinate, taking advantage of the Spaniards' moment of difficulty.<sup>69</sup> Philip, Prince-Count of Arenberg and Duke of Arschot had been a member of the Brussels Council of State since 1619 and commanded great influence in the court as well as throughout the provinces of the Spanish Netherlands and was easily recognized by the others as leader of the party.<sup>70</sup> Gerbier reported that Van den Bergh's appeals had caused many murmurings among the people and even in the ranks of the army, where accomplices had been spreading seditious pamphlets.<sup>71</sup>

Paranoia rose to high levels and some movements of large numbers of vagabonds in the streets of Brussels one night prompted a false alarm of enemy infiltration. Broadsheets were subsequently posted throughout the city promising a reward of five hundred francs to anyone with information on seditious plots. The Infanta also summoned all the nobility of the Low Countries to her court to renew their vows of fealty to the King of Spain, which was done as well by the bishops, abbots, and men of the provincial States.<sup>72</sup> The summer of 1632 was thus consumed with uncertainty and tension. So rampant were the discontented and seditious mutterings that Gerbier suspected it was only their great love for the Infanta herself that prevented the people of Flanders from revolting.<sup>73</sup> The party of discontented nobles and clergy, led by the Duke of Arschot and the Princes of Barbançon and Espinoy, continued to press the Infanta to

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<sup>69</sup> Gerbier to Coke, 19 June 1632, TNA SP77/21 f.253v.

<sup>70</sup> Henrard, *Marie de Medicis*, pp.202-206.

<sup>71</sup> Gerbier to Coke, 26 June 1632, TNA SP77/21 ff.274-276v.

<sup>72</sup> Gerbier to Coke, 3 July 1632, TNA SP77/21 f.288.

<sup>73</sup> Gerbier to Coke, 26 June 1632, TNA SP77/21 f.274.

sue for peace, and meanwhile all eyes watched for the outcome of the siege of Maastricht, which would become a barometer of the strength of the Spanish regime. For their pursuit of these goals, members of the party, including Espinoy, who was a member of the Brussels Council of State, were excluded from many of the meetings relating to the prosecution of the war. Gerbier made clear that in his opinion the princes had the full confidence and support of the people who tired of war and longed for peace, “the people lean to the side of the Princes of the country, and revolution in the state is in mind with the loss of Maastricht.”<sup>74</sup>

### **III. August 1632 – June 1633: The States General’s bid for peace**

As the siege of Maastricht continued, the Spaniards struggled to regain control of the situation. The Marquis d’Aytona and the Chancellor Boisicot went to Antwerp, both to shore up the city’s fortifications as well as to plead with the merchant houses to offer some sorely needed money to the government. Rubens departed on a last-ditch mission to the Prince of Orange’s camp to again try for peace. Meanwhile, the defection of the Count van den Bergh inspired nightmares of mutiny or defection among the Maastricht garrison.<sup>75</sup> There was, however, no saving the situation and Rubens returned no more successful than previously at the end of July. As the siege continued, many minds also began worrying about what impact the fall of Maastricht would have on the security of

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<sup>74</sup> Ibid.

<sup>75</sup> Gerbier to Coke, 16 July 1632, TNA SP77/22 ff.3-3v. Gerbier to Coke, 24 July 1632, TNA SP77/22 f.10-12.

the border with France, as Franco-Spanish relations were worsening and war seemed imminent between the two powers.<sup>76</sup> The uncertainties fed the building undercurrent of malcontent and distrust of the Spanish government, and Gerbier reported that the streets of Brussels were filled with rumors of rebellious plots and foreign invasions. Sensing opportunity, Gerbier began suggesting to Secretary Coke that these circumstances demanded action, noting that if Flanders were to fall under either Dutch or French domination, England would receive “un trop puissant voisin,” which English ministers had sought to avoid in 1576-78.<sup>77</sup>

Maastricht finally surrendered to the Prince of Orange on 22 August 1632, and with the news of its capture a massive public outcry began for the Infanta to summon the States General of the Spanish Netherlands, which had not sat since 1600.<sup>78</sup> Perceiving the desperate circumstances and knowing how weakly her government maintained its grasp on the helm, she agreed and gave orders to summon the States General to Brussels without waiting to first obtain permission from Madrid.<sup>79</sup> Rubens was again put in action, meeting with some Dutch delegates sent from Holland at Liege, but these negotiations appeared futile to most observers.<sup>80</sup> Gerbier reported the great anticipation for the opening of the States General, scheduled for 7 September. He expected the

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<sup>76</sup> Gerbier to Coke, 31 July 1632, TNA SP77/22 ff.26-27.

<sup>77</sup> Gerbier to Coke, 7 August 1632, TNA SP77/22 f.45.

<sup>78</sup> Louis Prosper Gachard, *Actes des Etats Generaux de 1632*, (Brussels, 1853), pp.3-6.

<sup>79</sup> Esteban Estringana, *Madrid y Bruselas*, pp.189-190. Israel, “Olivares and the government of the Spanish Netherlands,” *Empires and Entrepreneurs*, pp.178-180.

<sup>80</sup> Gerbier to Coke, 14 August 1632, TNA SP77/22 f.63v. Coke to Gerbier, 1 September 1632, TNA SP77/22 f.92.



sessions to prove extremely volatile, noting “if the Prince of Orange after having fortified Maastricht, continues on to a new diversion, one will see great changes in this state.”<sup>81</sup> Gerbier’s prognosis proved astute, and surpassing anything he had seen before, Brussels’s avenues were now filled with openly seditious speech and writings. One pamphlet, propagated by an anonymous self-proclaimed patriot, described the conditions of Flanders as “entre Scilla et Charibde” and both extorted and threatened the States General saying, “Conserve our liberty while you can, or we will seek it to your exclusion and confusion, and there will not be guards, nor losses, nor forces that can prevent us from finding our salvation.”<sup>82</sup>

The States General began with the expected bang, immediately presenting a list of demands to the Spanish government in Brussels. The Infanta had wanted the first order of business to be the voting of funds for the Army of Flanders, and while the States were not opposed to this, they made clear their cooperation would depend on certain reforms. The first among these was to place the army under the command not of Spaniards, but of natives of the Provinces. Additionally, they demanded expenses be determined by a formal budget, overseen by three native Flemish deputies appointed by the States. Finally, they wanted immediate authorization to begin treating directly with the Estates General of the Dutch Republic for peace. A committee was also formed to draft a list of further grievances.<sup>83</sup> These demands represented the firm conviction of the Flemish

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<sup>81</sup> Gerbier to Coke, 29 August 1632, TNA SP77/22 f.84.

<sup>82</sup> Copy of Anonymous Paper sent to Estates at Brussels, 13 September 1632, TNA SP77/22 f.102.

<sup>83</sup> Gerbier to Coke, 15 September 1632, TNA SP77/22 f.105. Gachard, *Actes*, pp.21-26, 69-71, 76-77, 163-166.

provinces that Spain could no longer be trusted to see to the immediate needs of her Flemish subjects and thus they appealed to Philip IV as Duke of Burgundy to grant them greater autonomy to tend to their own concerns. Further petitions came pouring into the States General from the Flemish populace, including some with alarming propositions tending toward a complete severing of the ties to Madrid. One which caught Gerbier's attentions called on the States to submit to the States of Holland in the interests of peace, "not as subjects, but in confederation, to remain Catholic and Sovereign states, as [the northern provinces] are Protestants."<sup>84</sup> Not least among these offers was a letter sent to the States from the Prince of Orange, who promised:

In case the States (under obedience to the King of Spain) declare themselves Catholic and Free States, and if they are disposed to procure for themselves that liberty, they may have all assurance that we will assist them with all our power, should they declare themselves as a body, or as certain named towns or nobles, we promise to defend them and sustain them in their liberties, and to this end they can treat with us of alliance and confederation, by which they can acquire the happy condition of liberty governed as Catholic and Free States and allow their states and people to flourish<sup>85</sup>

These and other similar letters horrified the Spaniards, who more than ever were trying to negotiate a peace with the Dutch. Rubens, who had continued his perambulations between Antwerp, Liege and Orange's camp, reported that Frederik Hendrik appeared fully open to, and solicitous of, a peace treaty and that many towns on both sides of the

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<sup>84</sup> Copy of Paper sent to the States at Brussels, 16 September 1632, TNA SP77/22 f.108.

<sup>85</sup> Copy of Letter of Prince of Orange to States assembled at Brussels, 16 September 1632, TNA SP77/22 f.107. Israel, *The Dutch Republic*, pp.516-517. Israel, "Frederick Henry and the Dutch Political Factions, 1625-1642," as reprinted in *Empires and Entrepots*, pp.92-93.

border sorely desired the same.<sup>86</sup> The Rubens negotiations that bore the king's stamp of approval were not to bear fruit for the Dutch deputies made plain that they offered no treaty and no negotiations except to the States General meeting in Brussels with whom they would treat as "Free Catholic States in Subjection to Spain."<sup>87</sup> Contrary to the Prince of Orange's offer, the Dutch States General would not recognize attempts by Flanders to throw off Spanish rule, and simultaneously rejected the efforts of Rubens, and thus also the Spanish Crown, to treat on the Flemish States' behalf.<sup>88</sup> This had the effect of greatly muddying the waters and obstructing the road to peace.

In response to these developments and adding to their earlier demands, the States meeting in Brussels demanded authorization from Madrid to appoint their own deputies to send to Holland to negotiate a lasting peace treaty with the States General in the Hague "in their name, reserving the dignity of the King of Spain."<sup>89</sup> The Infanta, no doubt exhausted by the previous several months, immediately ratified their resolution touching this initiative, leaving the States only needing authorization from the King of Spain or his representative.<sup>90</sup> The Marquis d'Aytona, who as Philip's ambassador at the court of the Infanta was the only immediate minister who could give such an authorization, refused to

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<sup>86</sup> Gerbier to Charles, 21 September 1632, TNA SP77/22 f.114. For war exhaustion among towns in the Dutch Republic, see: Jonathan Israel, "The Holland Towns and the Dutch-Spanish Conflict, 1621-1648," as reprinted in *Empires and Entrepots*, pp.43-71, especially pp.58-63.

<sup>87</sup> Gerbier to Charles, 21 September 1632, TNA SP77/22 f.117.

<sup>88</sup> Israel, "The Holland Towns," p.60. Israel, *The Dutch Republic*, pp.517-518. Gachard, *Actes*, pp.169-173.

<sup>89</sup> Gerbier to Charles, 21 September 1632, TNA SP77/22 f.117v.

<sup>90</sup> Gachard, *Actes*, p.168.

give a response of any kind, locking himself in his house and, Gerbier reported, feigning illness.<sup>91</sup> Eager to move things along, the States General went ahead and opened communications with the Hague and the Prince of Orange, asking for a suspension of arms of fifteen days to facilitate the treaty. Seemingly eager to press their advantage, the Dutch declared only six days as suitable and convenient.<sup>92</sup>

The Dutch enumerated specific conditions under which these six-days talks could proceed: first, that the States of Flanders must sign an offensive-defensive league with the States of Holland; second, that the Spanish troops must vacate the cities of Antwerp, Ghent, Ostend, Dunkirk, Gravelines, and Cambrai, and must raze all citadels and fortifications in doing so.<sup>93</sup> Naturally the Spaniards found these conditions unacceptable, but at that stage there was little they could do to influence the negotiations. Members of the States General came to the Infanta's court asking for permission to go ahead with electing deputies to treat with the States of Holland, and exhausted and overwhelmed, she agreed to all.<sup>94</sup> Gerbier interpreted the Dutch demands as an attempt to take advantage of Spain's exclusion from the negotiations by extorting the most beneficial terms possible from the desperate Flemish. The stipulation of insisting that the Flemish States not renounce Spanish sovereignty but remain "States under the obedience of the King of Spain" similarly sought to guarantee that the States would remain free to enter into a

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<sup>91</sup> Gerbier to Charles, 21 September 1632, TNA SP77/22 f.118.

<sup>92</sup> Ibid. f.118v.

<sup>93</sup> Gerbier to Coke, 3 October 1632, TNA SP77/22 f.136v. Juste, *Conspiration*, pp.57-59.

<sup>94</sup> Ibid. Gachard, *Actes*, p.185.

treaty without the risk of their taking a separate path detrimental to Dutch interest. Gerbier surmised that the Dutch feared an independent southern Netherlands could become a rival power in its own right: “Because these states could, in times of war, bring down legions of men, as many from the Empire as from France, so [the Dutch] try to prevent this, treating with them as States recognizing a superiority, which being that of Spain will be cause of their impotence.”<sup>95</sup>

The momentary impasse allowed for some radical ideas from the Spanish ministers. The Abbé de Scaglia, who was never far from diplomatic webs emanating from Brussels and Madrid, suggested to Gerbier that Charles might take the opportunity to renew his efforts to mediate a peace between Spain and the rebel Provinces that had been aborted in 1631. Scaglia hinted that if Charles acted quickly, he could oblige the King of Spain to surrender the Lower Palatinate to English custodianship as part of the deal. Scaglia for his part was appalled that the Dutch appeared perfectly willing to bring the war to a conclusion with the exclusion of the English from any negotiations, despite all the aid and assistance England had provided them over the decades.<sup>96</sup> It seems Scaglia’s hope was that by expanding the talks to include the King of England, they would necessarily be expanded later to include the King of Spain, thus keeping the negotiations firmly under royal supervision. Later Scaglia told Gerbier that some Spanish ministers were even considering an extreme solution that in return for ensuring Philip’s participation in the treaty would offer Charles “a Province of these states as

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<sup>95</sup> Gerbier to Coke, 3 October 1632, TNA SP77/22 f.138.

<sup>96</sup> Gerbier to Charles, 21 September 1632, f.114.

hostage for the restitution of the Palatinate, on condition that his Majesty procure the treaty not by the States but by the *via regia*.” Engaging only half-heartedly with these overtures, Gerbier suggested the proposed offering of Dunkirk, Antwerp, and Gravelines was too small to warrant Charles’s intervention and that the Spaniards would do better to include Geldern, Rheinberg, and Oisson.<sup>97</sup> Gerbier put little faith in these schemes and wrote to London that if Necolalde never mentioned anything of them that the English could safely conclude they were merely idle pipe-dreams of Brussels ministers in extremis.

On a similar note, Spanish ministers began looking hopefully to the prospect of England activating the secret Cottington Treaty signed in Madrid in 1631 that proposed a joint Anglo-Spanish invasion and division of the northern Netherlands.<sup>98</sup> In mid-October Gerbier heard rumors that Charles would be sending a representative to Brussels, “to offer to enter into an offensive and defensive league with Spain.”<sup>99</sup> Arriving at the same time, John Taylor seemed to confirm these prophecies, carrying letters to the Infanta from Charles which, he reported, left her “extraordinarily comforted.” Taylor likewise took conference with the Marquis d’Aytona during which the marquis impatiently asked when Charles would be putting the Cottington treaty into action. Taylor, perhaps in the indiscretion and overly optimistic banter characteristic of his later career in Vienna, declared that Charles waited only for occasion to begin setting things in motion, by which

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<sup>97</sup> Gerbier to Coke, 3 October 1632, TNA SP77/22 ff.136-136v.

<sup>98</sup> Elliott, *The Count-Duke*, p.403. Reeve, *The Road to the Personal Rule*, p.253. Sharpe, *The Personal Rule*, p.72.

<sup>99</sup> Gerbier to Coke, 23 October 1632, TNA SP77/22 f.173.

he meant action would be dependent on Spanish efforts to restore the Palatinate.<sup>100</sup> Despite Spanish hopes, Taylor who stayed in Brussels for a few weeks, never offered a formal treaty, but only arrived to deliver the letters pertaining to the Palatinate and to gather information.<sup>101</sup>

Taking matters into their own hands, the States General at Brussels in the beginning of October decided to capitalize on the immediate permissiveness of the Infanta by sending deputies to meet with their Dutch counterparts. Additionally, they sent representatives to Madrid, including the Englishman Bishop of Ypres George Chamberlain, to relate to Philip the desperate state of the Flemish provinces and request his blessing for their negotiations. Gerbier reported further a rumor that the party was going to petition Philip to release the States from Spanish dominion and retain them only as allies and confederates.<sup>102</sup> The negotiations were off to a slow start, and Taylor reported that the Dutch deputies, despite having arrived at Maastricht for several days had yet to commence any serious talks with their Flemish counterparts. The people, he also noted, nevertheless seemed more docile with the news that

a truce is a treating, and would have stoned any should have opposed itt, which would have bene allso the more dangerous to have done, since itt is certaine that feare would have made them attempt any such remedy as men in despare are want<sup>103</sup>

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<sup>100</sup> Taylor to [unknown], 24 October 1632, TNA SP77/22 ff.176-177.

<sup>101</sup> Coke to Gerbier, 9 November 1632, TNA SP77/22 f.227.

<sup>102</sup> Gerbier to Coke, 9 October 1632, TNA SP77/22 ff.146-147.

<sup>103</sup> Taylor to [Unknown], 24 October 1632, TNA SP77/22 f.177.

Efforts to promote progress resulted in more grating offenses to Spanish sovereignty such as when several Dutch prisoners were released by order of the States alone, without authorization from Spanish channels. The Duke of Arschot who had taken a lead in the States' peace process, rose to prominence in these proceedings and was recognized by many as the ringleader of the States, "the most active amongst them which hath made the state dispatch to their deputies to go to the Hayhe and not to return til they have ended the treatie notwithstanding anie advice out of Spaine."<sup>104</sup> Taylor's prognosis for the peace treaty was not good, and he saw the only hope would be in the Dutch provinces coming to some sort of accord with Spain directly: "the Designe is as great as difficult and the more because I do not see that the Spanish ministers do much regarde either thes or what else the commisioners do at Maastricht."<sup>105</sup>

Aside from the likelihood of Spain vetoing any accord signed by the States, Taylor also noted that the States had no legal authority to treat, something which must surely hamper their negotiations even with the Dutch: "the power which is given unto them is no other than that which was sent the yeare 1629 to the Infanta which can not as some conceive be applied to the country for that was directed only to the Infantas person and cannot otherwise oblige the King of Spain."<sup>106</sup> The negotiations themselves changed locations several times. While they had been underway in Maastricht, the deputies soon moved to Liege, and by November there were plans to take the

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<sup>104</sup> Extract from a letter of Gerbier, 28 October 1632, TNA SP77/22 f.198.

<sup>105</sup> Taylor to [Unknown], 31 October 1632, TNA SP77/22 f.209v.

<sup>106</sup> Ibid. ff.209v-210.



negotiations to Holland.<sup>107</sup> In preparation, Arschot came to Brussels in an effort to garner support for the peace, which Taylor reported remained very high.<sup>108</sup> Indicative of the dominance the peace party possessed at that moment, Arschot also procured letters of pardon for Hendrik van den Bergh and the Count of Egmont, another defector noble, to take with him as good will offerings to the Hague.<sup>109</sup> In marked contrast, orders were issued in Madrid at the same time for the Infanta to proceed with full extent of the law against Egmont's estates in Flanders, while the orders for Van den Bergh's execution remained standing.<sup>110</sup>

Madrid, finally catching news of all these proceedings in early November, took immediate measures to close all possible avenues to the peace treaty ever taking effect. Among a flurry of decrees and letters, Philip revoked the Infanta's plenipotentiary power to conclude a peace with the Dutch which he had accorded her in July 1629, and also revoked her right to summon the States General of the Spanish Netherlands.<sup>111</sup> Worries in Madrid increased in late November when rumors arrived that the French and Dutch were plotting to take advantage of the domestic confusion in Flanders and together overrun the provinces.<sup>112</sup> By December, the Infanta's letters from November had arrived

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<sup>107</sup> Taylor to Cottington, 14 November 1632, TNA SP77/22 f.248. Gerbier to Coke, 27 November 1632, TNA SP77/22 f.277v. Juste, *Conspiration*, 49-56.

<sup>108</sup> Taylor to [Unknown], 28 November 1632, TNA SP77/22 f.283v.

<sup>109</sup> Taylor to [Unknown], 5 December 1632, TNA SP77/22 f.306.

<sup>110</sup> Henri Lonchay, *Correspondance de la Cour d'Espagne sur les affaires des Pays-Bas au XVIIe siècle*, (Brussels, 1930), ii, Consulta of the Supreme Council of Flanders, p.659.

<sup>111</sup> Lonchay, ii, Decree of Philip, 4 November 1632; Revocation of powers, 4 November 1632, p.655.

<sup>112</sup> Council of State, 27 November 1632, AGS E 2046, 99 [unfoliated].

in Spain describing the meetings of the deputies of the Brussels States General with the Dutch in Maastricht. Confronted by the independent actions of the States General in their peace negotiations, Olivares declared it necessary to rush as many soldiers as possible to Flanders, for fear that a revolt was imminent.<sup>113</sup> Even before taking news of the States General's proceedings, preparations began to send Pierre Roose, Olivares's trusted servant who had been in Madrid since 1629, back to Flanders to take over the presidency of the Privy Council and restore order.<sup>114</sup> Roose's orders included the provision to procure the dissolution of the States General at the earliest opportunity and until that time to bring an immediate halt to its activities.<sup>115</sup>

As the activities of the States General became more and more independent of Spanish control, even Rubens, deeply attached to the idea of a lasting peace, had given up his own efforts and retired to his home in Antwerp. In a meeting with Taylor, Rubens remarked with some disappointment that the peace treaty should have been a private matter between the King of Spain and the States of Holland, and blamed Arschot and his party for turning it into a public spectacle injurious to governmental stability.<sup>116</sup> Arschot's position as the ringleader was becoming universally recognized and Gerbier reported that the Spaniards in Brussels were soon making efforts to discredit him in

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<sup>113</sup> Points from the Infanta's letter of 8 November 1632, AGS E 2046, 1 [unfoliated]. Council of State, 3 December 1632, AGS E 2046, 3 [unfoliated].

<sup>114</sup> Lonchay, ii, Philip to Aytona; Philip to Roose, both 11 October 1632, p.650. Esteban Estringana, *Madrid y Bruselas*, pp.194-196. Israel, "España y los Países Bajos", pp.118-119. Israel "Olivares and the government of the Spanish Netherlands," *Empires and Entrepots*, pp.180-181.

<sup>115</sup> Elliott, *The Count-Duke*, p.455.

<sup>116</sup> Taylor to [Unknown], 14 November 1632, TNA SP77/22 f.246.

political circles.<sup>117</sup> Roose upon arrival tried to re-establish royal control of affairs in the capital. Coming from Madrid armed with letters, he immediately announced to the States that the peace negotiations would not continue, but that the States could be assured of the provinces' security because Philip was sending men and money to defend them. Furthermore, he announced that Philip's brother the Cardinal-Infante Ferdinand would be soon departing Spain to assume the governorship.<sup>118</sup> Especially pointedly, he delivered a letter for Arschot from the king thanking him for his services, with the clear implication that Philip had no further use for them.<sup>119</sup>

These measures served only to instigate the States to further independent action, renewing their oath of secrecy regarding their proceedings and pressing on with their negotiations. The Dutch grew bolder in their demands, adding free passage and trade with the Indies to their already considerable stipulations.<sup>120</sup> The Infanta had earlier marked herself as at the very least a reluctant accomplice in the States General's efforts, arising from her true love for the people of Flanders and sympathy for their hardships. In Spain, her empathy was seen as a liability and spurred on the orders for the Cardinal-Infante's departure for Flanders, Olivares stressing the need in Flanders for someone of

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<sup>117</sup> Gerbier to Coke, 21 November 1632, TNA SP77/22 f.253v.

<sup>118</sup> Gerbier to Coke, 1 January 1633, TNA SP77/22 f.353.

<sup>119</sup> Ibid.

<sup>120</sup> Gerbier to Coke, 8 January 1633, TNA SP77/22 f.362. Israel, *The Dutch Republic*, pp.518-519. See also a detailed account of the full negotiations between the Dutch and Flemish States Generals: Michael Georg de Boer, *Die Friedensunterhandlungen zwischen Spanien und die Niederlanden in den Jahren 1632 und 1632*, (Groningen, 1898).

“gran autoridad.”<sup>121</sup> Hopton reported from Madrid that the Infanta herself had been “a longe suter to bee easie of her charge, for whose honor as alsoe because the kinge hath had but an ill accompt from his Governors there, not have they thought the Infanta very fitt for these times.”<sup>122</sup> She would prove eager to take the side of her Flemish subjects, writing to Madrid to beg her nephew to grant authorization for the States to procure their peace treaty.<sup>123</sup> Torn between her sympathy for the people of Flanders and her devotion to her nephew’s authority, she begged, as Hopton reported, for relief, asking that the Cardinal-Infante’s arrival be expedited as much as possible.<sup>124</sup> Ferdinand, however, would not depart from Milan until the summer of 1634 and during the trying months of 1633 all Philip could offer his aunt were words of encouragement.<sup>125</sup> At the Infanta’s instigation, Rubens was once again pressed into service and by her command delivered to the States a full report of his prior negotiations with the States of Holland and the Prince of Orange.<sup>126</sup> The Infanta intended that Rubens should become party to the negotiations being conducted under the States General’s auspices. It was not long, however, before Rubens was suspected by the States General of being the Infanta’s instrument to attempt to keep the negotiations at least partially under royal supervision. After an incident in

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<sup>121</sup> Council of State, 16 January 1633, AGS E 2047, 21 [unfoliated]. Esteban Estringana, *Madrid y Bruselas*, p.197.

<sup>122</sup> Hopton to Coke, 9 May 1633, TNA SP94/36 f.268.

<sup>123</sup> Gerbier to Coke, 8 January 1633, TNA SP77/22 f.362v.

<sup>124</sup> Discussion of a letter from the Infanta dated 14 February, AGS E 2047, 22 [unfoliated].

<sup>125</sup> Philip to Infanta, 9 September 1633, AGS E 2047,23 [unfoliated].

<sup>126</sup> Gerbier to Coke, 15 January 1633, TNA SP77/23 f.1v.

which he refused to share his diplomatic instructions with Arschot, the States refused Rubens's involvement and began pursuing a course independent even of the Infanta.<sup>127</sup>

The growing rift between the States General and the court of Brussels was replicated in relations with Madrid. As reports came back from the representatives the States had sent to the king, the deputies were outraged to hear "that the King and Count Duke have completely disdained their letters, deigning not even to open them."<sup>128</sup> President Roose made another attempt to rein in the States, announcing to them in late February that Philip had rescinded the Infanta's powers to conclude a peace and to summon their meeting, but the States sent their delegation to the Hague anyway.<sup>129</sup> Roose had kept the Council of State informed of his efforts, and the members in Madrid had increasingly viewed the States as a greater threat to Spanish authority in Flanders than the rumored foreign invasions.<sup>130</sup> In Madrid in early March, a *consulta* was issued by the Council of State approving authorization for Roose to pursue a plan for dissolution of the States at the earliest opportunity.<sup>131</sup> The States pressed on with their negotiations, and Arschot was travelling constantly back and forth between Brussels and Hague, working tirelessly to effect a conclusion before the arrival of Spanish reinforcements.<sup>132</sup>

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<sup>127</sup> Gerbier to Coke, 5 February 1633, TNA SP77/23 ff.30-31.

<sup>128</sup> Gerbier to Coke, 12 February 1633, TNA SP77/23 f.39.

<sup>129</sup> Gerbier to Coke, 28 February 1633, TNA SP77/23 f.81a-81av.

<sup>130</sup> Council of State, 26 February 1633, AGS E 2047, 1 [unfoliated].

<sup>131</sup> Lonchay, ii, Consulta of the Council of State, 2 March 1633, p.674.

<sup>132</sup> Gerbier to Coke, 26 March 1633, SP77/23 f.119. Gerbier to Coke, 31 March 1633, TNA SP77/23 f.125.

The first of these arrived in April, German levies under Aytona's command, and with the greater security these afforded the Spaniards began to move to retake the initiative.<sup>133</sup>

Philip outwardly took a conciliatory approach toward the States, writing them a letter assuring them of his devotion to Flanders's security and wellbeing, while privately writing to Roose approving of his efforts to sow discord and faction among the different segments of the States' deputies.<sup>134</sup> At the same time the Brussels council under Roose announced that the King of Spain summarily rejected the Dutch demands, and regardless of any promises the States General's negotiators might make to the Dutch, would not dismantle the border forts nor grant Dutch passage to the Indies. Roose furthermore attempted to appoint his kinsman one Van de Wouwere to be the principal negotiator with the Dutch and a replacement for Rubens who, tired of the internecine strife, had recused himself from further involvement.<sup>135</sup> The States General protested these statements and filed a complaint with Roose demanding that authorization be given, while going ahead with their plans to send deputies to the Hague. The Infanta, by now wrought by both emotional strain and illness, waited desperately for instructions from Madrid as tensions continued to rise, including a street scuffle between members of the city council of Leuven and some of the Spanish garrison.<sup>136</sup> By July 1633, the long awaited instructions finally arrived. Philip wrote to her to await the coming of her other

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<sup>133</sup> Gerbier to Coke, 15 April 1633, TNA SP77/23 f.143.

<sup>134</sup> Lonchay, ii, Philip to the States General, 2 April 1633, p.677; Philip to Roose, 15 April 1633, p.681.

<sup>135</sup> Gerbier to Coke, 22 April 1633, SP77/23 f.152-152v.

<sup>136</sup> Gerbier to Coke, 29 April 1633, TNA SP77/23 ff.161-162.

nephew the Cardinal-Infante who would take a firmer hand to affairs and in the meantime instructed her to overlook her great love for the Low Countries and under no circumstances to authorize any further negotiations or agree to any peace.<sup>137</sup> He also ordered her to put all the coastal and border garrisons on alert as by this time suspicions were reaching Madrid of a rebel conspiracy.<sup>138</sup> As word reached Madrid of the States General's considerations of the Dutch demands for trade with the Indies, the entire situation became intolerable for Philip, and he wrote to the Infanta in July ordering her to dissolve the States General at the first convenient opportunity.<sup>139</sup> In the same batch of correspondence he sent a letter to the assembly in Brussels which abandoned the conciliatory tone he had employed before and chastised them for their poor judgment and openly denounced the efforts of some of their members to convince the rest that the interests of Flanders lay apart from those of Spain.<sup>140</sup> The "certain members" undoubtedly referred to the party clustered around the Duke of Arschot and Princes of Barbançon and Espinoy. Amid the rumors of conspiracy that had prompted Philip's letters, Arschot's name had featured prominently and the Duke's leadership of the Estates General's peace negotiations did nothing to ingratiate him to Olivares. The Count-Duke in the Council of State declared Arschot to be disloyal and as bad as the Count Van den

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<sup>137</sup> Philip to Infanta, 12 June 1633, AGR SEG 206 f.264.

<sup>138</sup> Philip to Infanta, 12 June 1633, AGR SEG 206 f.266.

<sup>139</sup> Philip to Infanta, 19 July 1633, AGR SEG 206 f.353.

<sup>140</sup> Philip to the States General, 19 July 1633, AGR SEG 206 f.361.

Bergh.<sup>141</sup> As the below will make plain, the suspicions of Philip and Olivares had great merit.

#### **IV. Gerbier and the Conspirators**

Hendrik van den Bergh's treachery in June 1632 sent shockwaves through the court and society of the Spanish Netherlands that immediately set the Infanta and her government on edge. In the year between that critical moment and Philip's orders to the Infanta to dissolve the States General and put the country's garrisons on full alert, there was in fact a conspiracy at work among the Flemish nobles which quickly took on large foreign dimensions as the conspirators sought securities from Spain's enemies and neighboring princes.<sup>142</sup> In this manner Gerbier found himself drawn into the secret world that had developed within the Estates General. The conspirators sought the aid of England to guarantee the success of their plot and placing their trust in Gerbier, they inadvertently sealed their fates.

Gerbier in a subsequent report identified Van den Bergh's defection and exhortation to rebellion as the beginning of the whole affair. While the Flemish nobility, especially those in the following of the Arschot party, had already rallied to oppose the Spaniards in the continuance of the war, the Spanish response to Van den Bergh left them further alienated. While they all heeded the Infanta's call to renew their oaths of fealty,

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<sup>141</sup> Council of State, 29 May 1633, AGS E 2047, 28 [unfoliated].

<sup>142</sup> Juste, *Conspiration*, pp.41-44. Waddington, *Provinces-Unies*, i, pp.146-148.



they were “conceiving a mistrust of the Spanish Ministers, who treated of noe busines of moment whilst these Nobles were present.”<sup>143</sup> Gerbier noted that the Spaniards readmitted the Flemish nobles, after making satisfactory declarations of loyalty, to the Brussels Council of State, but Roose made sure to exclude them from all important sessions. The resulting distaste as well as the increasingly precarious military position of the Spanish forces after the fall of Maastricht cultivated in the nobles and clergy of Flanders a desire

to free them selves of the ruine of their religion, losse of liberty and goods, they unanimously inclined to seeke comfort from their potent neighbours, and procure to themselves a Peace, by which they might escape all such evils as they were threatened with so long as they should weare the livery of the Spaniards<sup>144</sup>

To this end, in late August just following the fall of Maastricht a mysterious representative of some of the disaffected Flemish approached Gerbier. This figure always appeared disguised, though Gerbier guessed he was of noble dignity due to his manners, mode of speech, and evident education.<sup>145</sup> Following an account in Roose’s journal, Theodore Juste stated that there were at least five masked messengers, one of which he identified as the Prince of Barbançon, which is consistent with the Prince’s deep involvement in the intrigues among the Flemish nobility.<sup>146</sup> The masked man informed Gerbier that the parties he represented had resolved to throw out the Spaniards and assume direct control over the affairs and fortunes of the provinces of Flanders.

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<sup>143</sup> Gerbier’s notes on the Free Catholic States, [Undated] 1633, TNA SP77/23 f.509v.

<sup>144</sup> Ibid.

<sup>145</sup> Ibid. f.512v.

<sup>146</sup> Juste, *Conspiration*, p.63. Henrard, *Marie de Medicis*, pp.246-247.

They feared, however, that by simply revolting against the Spaniards they would be leaving themselves open to conquest and subjection to either the States General of the Dutch Republic or to France, both of which they wished to avoid. The messenger confirmed that some of the malcontents had already been in communication with representatives of France, but “He spoke as in the name of a whole body, which aymed to be supported by an alliance with England for to counterballance Fraunce, who instead of a confederaty prepared meanes to bring these Provinces into subjection, which to prevent, the support of England was conceived the strongest remedy.” Thus, they resolved to approach England, in the hope that Charles would take Flanders as a protectorate, confirming them in their ancient liberties while defending them from their French and Dutch neighbors.<sup>147</sup>

Gerbier merely passively received these first overtures, lest the masked messenger prove to be a Spanish agent provocateur, but sought instructions from Charles about how to respond to these entreaties. Charles replied with great interest and at the end of August 1632 authorized Gerbier “to treat in our name, with our friends and good neighbors on all overtures they make for the common good, our interests, and theirs.”<sup>148</sup> While the formal authorization cloaked the nature of the negotiations, Charles spoke much plainer in a personal letter which accompanied this commission. The king warned Gerbier, “Since I am in friendship with the King of Spaine, it is against both honor & conscience to give him iust cause of quarrel against mee, I not being first provoked by him. And a iuster he

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<sup>147</sup> Gerbier’s notes on the Free Catholic States, [Undated] 1633, TNA SP77/23 ff.512-512v.

<sup>148</sup> Commission of King to Gerbier to treat, 30 August 1632, TNA SP77/22 f.87.

cannot have then debasing of his subjects from their allegiance.”<sup>149</sup> Charles nevertheless admitted that at that point in time, Maastricht having just fallen, it seemed that Philip’s grip on Flanders was weakening. With the suzerainty of the provinces thus being offered to him as Gerbier reported, Charles stated it would be “a great imprudence in mee to lett slippe this occasion when by I may both advantage myself & hinder the overflowing greatness of my neighbors.” He finally concluded, “Therefore uppon good consideration I have sent you powers to treat with those desgusted persons & do herby authorise you to promise them in my name protection against anie bodie but the King of Spaine.”<sup>150</sup> Charles had no desire of being accused of luring the King of Spain’s subjects out of their lawful obedience, but all the same he could not afford to see the crucial Flemish provinces fall under the dominion of France or Holland, states to which Charles was not well affected. He thus placed Gerbier in the unenviable position of seeking to secure the allegiance of the Flemish malcontents to England while simultaneously dissuading them from abandoning their natural prince.

The original intent of the Flemish conspirators was to exploit the negotiations with the Dutch as the *casus belli* for revolting against the Spaniards. The Dutch refusal to treat directly with Spain, as evidenced by their consistent deflection of Rubens’s efforts throughout 1632, was fully expected. What came as a surprise however, was the Dutch insistence on treating with the States in Brussels only in capacity as ‘Catholic

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<sup>149</sup> Charles to Gerbier, 31 August 1632, TNA SP77/22 f.90.

<sup>150</sup> Ibid. ff.90-90v.

states in obedience to Spain.’<sup>151</sup> Confirming his reading of the Dutch intentions in that requirement, Gerbier recorded the conspirators’ perception that the Dutch humors “did not so much incline to put the Catholique States to the necessity of a Revolution, which by the saide Holland States (perhaps) is not thought so advantageous as the inlardging of their bounds or a Truce.”<sup>152</sup> The requirement put the conspirators in a difficult position because their plans for an immediate justification for revolt, the necessity of separation from Spain for freedom to negotiate a peace, were swept away and they were thus forced to engage in the balancing act of keeping channels to the Dutch open while pleading with Madrid for authorization to negotiate and conclude a peace. This shift was the result of factional strife in the Dutch Republic itself.<sup>153</sup> The conspirators had begun sending feelers to the Dutch by opening correspondence with the Prince of Orange while his army besieged Maastricht. During this period, Frederik Hendrik, in keeping with his various pronouncements during the period, encouraged the Free Catholic States party in their resolutions toward separation from Spain and firmly assured them that

att the instant of whose declaration shall cease all acts of Hostility from the Hollanders side & that although the Prince of Orange should be engaged in any important enterprise or siege, that att the instant of the revolution actually & verbally performed he should quitt all for to support them<sup>154</sup>

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<sup>151</sup> Results of considerations touching the new pretended states, [Undated] 1632, TNA SP77/22 ff.370-370v.

<sup>152</sup> Abstract of the state of the provinces under the Infanta, 15 May 1633, TNA SP77/23 f.173v.

<sup>153</sup> Israel, “Frederick Henry and the Dutch Political Factions,” pp.92-96.

<sup>154</sup> Gerbier’s notes on State of Spanish Netherlands, [April/May] 1633, TNA SP105/10 ff.163-163v.

Frederik Hendrik had consistently favored a peace policy and was just as open to negotiating a settlement with Philip, of the sort favored by Rubens and the Infanta. Indeed, it seems likely that his encouragement of the Flemish conspirators was designed to increase pressure on Spain to come to negotiate as much as raise the prospect of a general revolt in the Spanish Netherlands. Nevertheless when brought before the interests of the Dutch towns and the Estates General, the deputies only accepted the direct “States to States” negotiations excluding Philip.<sup>155</sup> Thus, when the Flemish negotiators opened their talks with their Dutch counterparts, they found the Prince of Orange’s early assurances had been tossed aside:

They did expect the Holland States would have prest them on the point of their declaration to have necessity for a pretext, Itt appeareth the Holland States have failed on this point although by their last letter of the 31 March they make a shew to like the revolution, but the season beeing so farre advanced their army in the field, the Maze and Rhyn and the passages neere to be pcest are on the syde and those of Germany by the French on the other, the Catholic States do apprehend iff the Hollanders reject a Truce, that they aime at the Conquest<sup>156</sup>

Faced with the Dutch poised for invasion on one side, and forever apprehensive of the restive French behemoth at the other, the conspirators were driven to seek the aid of England or else see their plans for the “Free Catholic States” dashed.

Learning that French agents were at work among the Flemish nobility and clergy, Gerbier labored hard throughout the autumn and winter of 1632 to build an English party within the States at Brussels.<sup>157</sup> Gerbier wrote to Charles in September that the French

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<sup>155</sup> Israel, *The Dutch Republic*, pp.516-518.

<sup>156</sup> Ibid. f.165. Henrard, *Marie de Medicis*, pp.251-258.

<sup>157</sup> Gerbier’s notes on the Free Catholic States, [Undated] 1633, TNA SP77/23 f.513v.

crown was already offering the conspirators a complete guarantee for the preservation of the Free Catholic States, but the Flemish plotters were divided over the wisdom of entertaining these overtures. Gerbier reported that the memory of the Duke of Anjou's brief "sovereignty" in the Netherlands in 1582-1583 was still fresh in the minds of the Flemish aristocracy who had no wish to repeat the duke's botched attempt at tyranny.<sup>158</sup> Doing his best to capitalize on the Flemish wariness of France, Gerbier assured them that only England could offer them a stable equilibrium between the forces of Holland and France.<sup>159</sup> Responding to Gerbier's reports, Secretary Coke affirmed that Charles fully approved of Gerbier's efforts among the Flemish nobles "that the intended revolution may not be disposed to serve the turnes of others with his prejudice and neglect which must not bee indured." Coke further offered more arguments for Gerbier to stress in his dealings with the conspirators. Citing French callousness to the cause of the States in the 1580s as contrasted with Elizabeth's steadfast support against Spain, the Secretary said the Flemish could be assured that Charles would take a similar interest in the welfare. Furthermore, in contrast to the freedom of conscience Charles would grant them, Coke instructed Gerbier to stress that the States could not hope to continue in the free exercise of the Catholic religion if they fell under the domination of the Dutch.<sup>160</sup>

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<sup>158</sup> Israel, *The Dutch Republic*, pp.211-213.

<sup>159</sup> Gerbier to Charles, 21 September 1632, TNA SP77/22 ff.112-113. For the Duke d'Anjou's unpopular reign in the Netherlands, see: Israel. *The Dutch Republic*. pp.209-213., and also: F. Duquenne, *L'entreprise du duc d'Anjou aux Pays-Bas de 1580 a 1584: les responsabilites d'un echec a partager*, (Villeneuve-d'Asq, 1998).

<sup>160</sup> Coke to Gerbier, 4 October 1632, TNA SP77/22 f.142.

This last point was especially significant because Gerbier had earlier reported that it was the Flemish clergy who were “the most resolved being those who press the most for the revolution, and were it not for religion would have embraced alliance with England without a second glance.” The conspirators had thus asked for guarantees that Charles, despite being a Protestant king, would nonetheless safeguard the Catholic faith in the proposed Free Catholic States.<sup>161</sup> Gerbier also observed that throughout the affair that the French party’s most persuasive argument lay in the religious credentials of the *Rex Christianissimus*.<sup>162</sup> Accordingly Coke instructed Gerbier to emphasize that while Protestant, the Church of England in structure and operation resembled the Church of Rome, thus “England in respect of religion is far more proper for them to ioyne with, then the united provinces can bee.” Also, while English clergy still enjoyed state support and due collection of tithes, Dutch clergy did not, facts which Coke found “differences you must infust into the minds of their ecclesiasticques who are not so mortified that they wil not take their own interests to hart.”<sup>163</sup> Similarly, Gerbier was to remind the Flemish nobles that they would be better served to align with England, a monarchical state where their persons would be accorded all due honor, than a “fractious and popular state” like the Dutch Republic in which they could expect opposition from populist meritocracy.<sup>164</sup> To the merchants of Antwerp and the other great trading cities, Coke offered England as

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<sup>161</sup> Gerbier to Charles, 21 September 1632, TNA SP77/22 f.117.

<sup>162</sup> Gerbier’s notes, [undated] May 1633, TNA SP77/23 f.197.

<sup>163</sup> Coke to Gerbier, 4 October 1632, TNA SP77/22 f.142v.

<sup>164</sup> *Ibid.* f.143.

a guarantor of their future business successes. While union with Holland would subordinate their trade to that of Holland, “What would our staple brought to Bruges, Gant, & Antwerp is not yet forgotten & how it would remur by association with us may bee conceived since wee bring with us commodities from al countries of the World.”<sup>165</sup>

Even as they urged Gerbier on, Coke and Charles knew the dangerous ground they were treading. Charles’s initial warning to Gerbier not to give Spain any just cause for quarrel with England remained the standing order. Coke renewed the injunction saying “because the Spaniards are not yet excluded, both the soveraigntie & the armes remaining in their hands, you must not by a total adhering to the faction of the new states either crie down their authoritie or neglect their interests.”<sup>166</sup> Coke and Charles evidently preferred to think of their role as anticipatory insurance for the Spanish crown, indulging in a bit of wishful thinking by supposing “when they perceave that they must quit their hold wil probably incline rather to depositate their right into our hands, chiefly the seatowns, then to suffer them rebels or their opponents to carrie them by force.”<sup>167</sup> While Coke’s reasoning was never put the test, one cannot imagine Madrid sharing his approval of this secret diplomacy. Gerbier’s actions, in the meantime, were stranded between one set of instructions reflecting a genuine interest in effecting regime change in the Spanish Netherlands and another set representing the contradictory desire to avoid making any bold or decisive movements toward that end.

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<sup>165</sup> Result of considerations touching proceedings with new intended states, [October] 1632, TNA SP77/22 f.372v.

<sup>166</sup> Ibid. f.143v.

<sup>167</sup> Ibid.



As 1632 came to an end and 1633 advanced, Gerbier's own irritation at this double-bind became increasingly evident in his letters, especially when the conspirators began demanding commitments from Charles to rush a minimum of six thousand troops into the country to secure the provinces of Flanders against the Spaniards, the French, and the Dutch.<sup>168</sup> By April, Gerbier was concerned that Charles appeared set to undertake his 1633 visit to Scotland without leaving any firm instructions for the Free Catholic States intrigues, leaving him directionless in Brussels while the French and Dutch pressed their business: "The season advances the crisis, if those States and France contribute by their arms to the revolution, the times will require prompt counsels and resolutions."<sup>169</sup> Gerbier's frustration was in no small part due to the pressure the conspirators were placing on him for firm guarantees from Charles for their security in the event of a revolt against the Spaniards. Particularly, they wanted to know how quickly and by what means Charles could extend his protections.<sup>170</sup> Gerbier tried to excuse the lack of information by citing Charles's busy preparations for his imminent progress to Scotland, but reported that this only prompted fears "weather his Majestie would make no difficulty to assist them in reguarde of the King of Spaine."<sup>171</sup> Despairing that something needed to be done or else risk losing the whole pro-English party to the French, Gerbier in April asked permission to come to England to "informe myselfe of what his Majestie can or will do

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<sup>168</sup> Gerbier to Charles, 31 March 1633, TNA SP105/10 f.119v.

<sup>169</sup> Ibid. ff.119-120.

<sup>170</sup> Gerbier's notes, [Undated] May 1633, TNA SP77/23 f.196.

<sup>171</sup> Ibid. f.197.

for the preservation of the Catholic Provinces in case the Hollanders do not accept the Truce and Stand with France for the Conquest.”<sup>172</sup>

Gerbier arrived in London in early May, while Charles was still at Theobalds prior to his departure for Scotland. While Gerbier visited Charles, court gossip swirled about him, and Henri Tailler heard that “he has made his relation to this king and ministers of the unfavorable state of the forces of [the king of Spain] and for this year’s campaign [...] all conforming to his evil will and intentions.”<sup>173</sup> While Tailler could not have guessed the breadth of Gerbier’s true business with Charles, the rumors of Gerbier’s dim prognosis for Spanish military success was not far off the mark. In his formal reports delivered to the king and ministers of his dealings in Flanders, Gerbier asserted that Charles’s immediate action was absolutely necessary as Spain’s position deteriorated and the provinces of Flanders seemed doomed to be divided as spoils among the invaders “in case a potent third party doth not provide for the defence of the saide Catholique Provinces against Holland and France.”<sup>174</sup> With his unshakeable belief in the imminence of Spanish defeat, Gerbier declared that Charles was confronted with three options for the fate of Flanders: in the first, Flanders would be conquered by France or Holland or a combination of the two; in the second, Flanders would come to a truce with Holland which would end in dependency or annexation to the Dutch Republic; or third that Flanders by revolution would depart from Spanish rule with its independence guaranteed

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<sup>172</sup> Ibid. f.194. Gerbier to Coke, 29 April 1633, SP77/23 f.161.

<sup>173</sup> Tailler to Infanta, 20 May 1633, HHSA PC 65 f.140.

<sup>174</sup> Abstract of the State of the Provinces under the Infanta, 15 May 1633, TNA SP77/23 f.173v.

by a third power. As the first two outcomes would be prejudicial to English trade and sea power in the North Sea, Gerbier identified the revolution to be the “least ivill” of the three, but stressed that to secure it, a “soudaine expedient” was urgent.<sup>175</sup>

By now accustomed to Charles’s apprehensions of Spanish attitudes toward his policies, Gerbier even told Charles that given the desperate state of affairs in Flanders, “the king of Spaine may conceave it to be for his good” that Charles stood ready to intervene militarily. He also claimed to have it on good authority from an unnamed minister in Brussels who was a confidant of Olivares that the treaty negotiations, and thus also the risk of the States concluding an agreement with the Dutch, would quickly evaporate if Charles were to issue a public declaration of a commitment to defend Flanders.<sup>176</sup> The identification of the revolution not as the object of Charles’s policy but simply the least evil outcome seems to indicate that at this point Charles was increasingly disinclined to undertake any positive action towards effecting the separation of Flanders from Spain. Gerbier’s suggestion to simply bolster the Spanish position through a public declaration of support also supports this. This interpretation is further corroborated in a second report Gerbier drew up at the same time which began with the proposition that Charles considered the revolution to be just as bad as the truce or the conquest, since he was not in a position to control it any more than the others.<sup>177</sup> Nevertheless, it remained the least disadvantageous of the three, and ought to be promoted if only in the interest of

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<sup>175</sup> Ibid. f.174.

<sup>176</sup> Ibid. f.174v.

<sup>177</sup> Memorial of Gerbier for the king’s consideration, 15 May 1633, TNA SP77/23 f.181.

preventing the truce and the conquest. The prevention of the other two outcomes and the promotion of the revolution would all necessitate a large English military force to honor Charles's claims of protection. Even if Charles chose to forswear the conspirators completely and publicly align with the Spaniards, such a force and the ability to quickly deploy it was still necessary, "For though it may be conceived the Spaniards will defend themselves till the last towne yet that whensoever Holland and France should have decided the best lott, it would be to late for his Majestie to offer his assistance."<sup>178</sup> Thus regardless of whatever course Charles decided on, they sorely needed an answer to give the conspirators who were anxious to know what forces Charles could deploy and in what quantities: "The maine to resolve on is the expedient to gett troupes in or about the said Catholique Provinces who in the point of declaration or danger to be conquered may make a powerfull counterballance with the troupes of the Country to resist the Conquest of Holland & France."<sup>179</sup>

Gerbier's trip to England did not produce the decisive instructions he had hoped for, and what he ultimately took back to Brussels was simply another exercise in vacillation. Gerbier's standing orders were again reinforced as his new instructions repeated once more "you are to do nothing in his Majesties name to withdraw the subjects of the king of Spaine from their natural obedience."<sup>180</sup> As to the critical question of what forces Charles would commit to sending, the instructions stipulated that

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<sup>178</sup> Ibid. f.181v.

<sup>179</sup> Ibid.

<sup>180</sup> Supplementary Instructions for Gerbier, 30 May 1633, TNA SP77/23 f.187.

only in the event “theire king shal give them so litle defence” and only “uppon such declaration [to Charles] by a publike minister having power to give fit conditions for safhandling, quarter, and retraict” could Gerbier offer them assurance that Charles would send them sufficient forces to protect them.<sup>181</sup> Thus, Charles was unwilling to do more than offer assistance to the revolution once it was already underway, despite the fact that the conspirators were desperate to secure Charles’s promises before beginning their revolt against the Spaniards. Despite the restricted nature of Charles’s assurances, Gerbier reported that his contact among the conspirators was glad to have them. The messenger, Gerbier said, found Charles’s conditions that the conspirators first guarantee him the safe transit and maintenance of the proposed forces “as just for his Majestie to stand upon as advantageous for the Catholique States since they may well conceive his Majesite (having sett foote on sure ground) will not forsake them.”<sup>182</sup>

By the beginning of July 1633, Rheinberg had fallen to Orange’s army, and the conspirators felt the moment of decision was imminent. The messenger promised Gerbier that they would soon be sending a man of their own choosing to deliver a new proposition Charles “so as his Majestie run noe hazard for any assistance they shall demand and his Majestie (as they say) will have cause to trust them as they are confident of his Majeties disposition and present secrecy.”<sup>183</sup> They were bound now to trust Charles as Gerbier during his visit to England had delivered to Charles’s hands a full list

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<sup>181</sup> Ibid. ff.187-187v.

<sup>182</sup> Gerbier to Coke, 24 June 1633, TNA SP77/23 f.203.

<sup>183</sup> Gerbier to Coke, 1 July 1633, TNA SP77/23 f.218.

of the names of all those involved in the conspiracy.<sup>184</sup> While the time seemed ripe however, the conspirators also made clear to Gerbier they would only send their man to Charles when it became clear the moment of revolution or conquest was actually upon them.<sup>185</sup> The state of affairs in the summer of 1633 thus left the two parties, England and the Flemish conspiracy, at a standstill. Neither party wished to take the initiative in provoking the action of the other, while each waited for the other to make some decisive movement. While this impasse did nothing to promote the success of the revolution, the continuously prolonged negotiations constantly increased the likelihood of discovery.

#### **V. Downfall: June 1633 – July 1634**

Gerbier's return to Brussels in June 1633 had not been greeted well by Necolalde or Tailler who both had hoped to prevail on Secretary Windebank and the Earl of Portland to replace Gerbier with a resident more satisfactory to Spanish humors. Tailler reported to the Infanta that while he and Necolalde had failed to make Gerbier's stay in London permanent, Gerbier was returning to Flanders "very mortified by the little satisfaction he has received here from the greatest ministers of the king."<sup>186</sup> While Tailler was ignorant of the conspiracy in Flanders, Gerbier's great financial woes were well known in London, and indeed the two Habsburg ministers had assumed Gerbier's

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<sup>184</sup> Gerbier to Charles, 17 May 1633, TNA SP77/23 f.185.

<sup>185</sup> Gerbier to Coke, 1 July 1633, TNA SP77/23 f.218.

<sup>186</sup> Tailler to Infanta, 17 June 1633, HHSA PC 65 f.160v.

whole trip had been to petition for funds.<sup>187</sup> Even before his trip to London, Gerbier had written constantly to Coke and Windebank hopeful for monetary relief, saying that as things stood, he would not be able to subsist along with his large family without falling horribly into debt.<sup>188</sup> By the end of the year, Gerbier had still not received any disbursement, being owed over a year's worth of allowance, and said he was hounded by creditors everywhere he went.<sup>189</sup> His resentment of Caroline budgeting was acute, as illustrated by remarks such as "Burlamachi swaggers as if words could pay his depts and myne heire."<sup>190</sup>

Desperately in want of money, Gerbier had long weighed the value of the greatest asset he possessed: knowledge of the Flemish conspiracy. As Waddington declared, "Gerbier had no scruples when it came to acquiring money."<sup>191</sup> Already in January of 1633 he had written to Hubert, the French resident in Brussels, wishing to pass the information to Richelieu that it would be easy to place Flanders in the hands of the French. What means Gerbier proposed to employ to assure this were unclear, and the French took no notice of his letter. Undeterred, Gerbier continued to send offers of cooperation to Richelieu via the Marquis de la Vieuville, one of the French exiles clustered about Marie de Medicis, from March through the remainder of 1633, but

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<sup>187</sup> Tailler to Infanta, 20 May 1633, HNSA PC 65 f.140.

<sup>188</sup> Gerbier to [unknown], 15 April 1633, TNA SP77/23 f.150.

<sup>189</sup> Gerbier to Coke, 13 December 1633, TNA SP77/23 f.481.

<sup>190</sup> Gerbier to Coke, 10 February 1634, TNA SP77/24 f.36v.

<sup>191</sup> Waddington, *Les Provinces Unies*, p.174.

Richelieu was resolved to have nothing to do with Gerbier.<sup>192</sup> Richelieu's disinterest had also extended to the efforts of princes like Espinoy and Barbançon, who had been making many of the same overtures to French agents as they did to Gerbier. While Louis XIII was intrigued by the proposals, Richelieu steadfastly opposed them, not believing that France in 1633 was ready to enter into war with Spain.<sup>193</sup> Rejected by France and unable to get any commitment from England, the conspiracy seemed already doomed to wither before Gerbier initiated its demise. What scruples Gerbier did possess then seemed to be a preference for French rule in Brussels rather than Spanish, but the French option being exhausted, Gerbier decided to sell his information to the Spaniards.

On 2 August 1633, the Abbé de Scaglia wrote to Olivares to tell him that Gerbier had visited him with astounding news. Scaglia said that Gerbier had returned from England with numerous pieces of information about the dealings of "the interests of his king together with those of France relating to the affairs of Holland and of the treaty in particular." Gerbier's financial woes were evident and Scaglia noted that "the little satisfaction he has had in his trip to England from the Grand Treasurer leaves him wishing to find his fortune however he can, to which end I promised him he could expect the generosity of your Excellency if he wished to earn it." Gerbier offered to part with this information if Olivares could assure him of a just recompense, which Scaglia said he doubted would be less than 20,000 escudos, approximately 5000 pounds sterling.<sup>194</sup>

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<sup>192</sup> Ibid. pp.173-174.

<sup>193</sup> Juste, *Conspiration*, pp.61-67.

<sup>194</sup> Copy of the letter of Scaglia to Olivares, 2 August 1633, AGR SEG 207 ff.188v-189.



Receiving the letter in mid-September, Olivares and the Council of State immediately resolved to agree to Gerbier's terms. They recognized the precarious state of affairs in Flanders and were eager for any intelligence they felt would give them advantage. They promptly issued a *consulta* authorizing Scaglia to negotiate with Gerbier and also ordered Secretary of State and War Francisco Galarretta in Brussels to decipher a copy for Gerbier so that the English resident would "not suspect that we have not esteemed his offer."<sup>195</sup> Responding directly to Scaglia, Philip wrote in September that he was grateful for Scaglia's vigilance and commissioned him to share all that he learned with the Infanta. He also asked that Scaglia do his best to discover the nature of Gerbier's secret information to determine whether it was worth the hefty price Gerbier was demanding.<sup>196</sup> At the same time, Philip also wrote to the Infanta sending her copies of the letters he had exchanged with Scaglia, and asking her to take the matter into her care. He cautioned her to do her best to try to lower the price of the information as much as she could. At this point Philip seemed to have no inkling of the depth of Gerbier's knowledge and appeared convinced that Gerbier's news would be something pertaining to the mercurial politics of Gaston, Duke of Orleans.<sup>197</sup>

While Madrid mulled over Gerbier's offers, the power struggle with the States General in Brussels continued. The Duke of Arschot remained the generally recognized

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<sup>195</sup> Copy of the letter of Scaglia to Olivares, received 13 September 1633, AGS E 2047, 43 [unfoliated]. Council of State, 14 September 1633, AGS E 2047, 43/2 [unfoliated]. Consulta of the Council of State, 14 September 1633, AGS E 2151 [unfoliated].

<sup>196</sup> Copy of the letter of Philip to Scaglia, 20 September 1633, AGR SEG 207 ff.190v-191.

<sup>197</sup> Philip to Infanta, [20 September] 1633, SEG 207 f.188.

leader of the States' peace party. When by July 1633 it had become apparent that the king's support for the States' peace negotiations would not be forthcoming, Arschot and the Bishop of Ypres announced plans to go to Madrid to personally petition Philip to authorize their negotiations. Earnest as these intentions were, some in the States "like not the resolution for as much may concerne their persons alsoe it is conceived by some that the said Duke and Bishop are persuaded to this journey by such as would have them absent."<sup>198</sup> Arschot was known for his outspoken defense of the interests of Flanders and his fearlessness in confronting Spanish officials, such as when he openly accused President Roose in the Privy Council of working for the ruin of the Flemish provinces. The greatest fear of the States was that Spain would order the dissolution of the assembly and end all possibility of the treaty. Roose's known ties to Olivares and his fierce opposition to the State's negotiations had made him Arschot's natural rival in Brussels and the feud between the two polarized court society in the capital.<sup>199</sup> In August, concurrently with Scaglia's dispatch, Roose had written letters to Philip and Olivares complaining about the great difficulties he was having in disrupting and ending the treaty negotiations. He identified the Duke of Arschot as the rallying point for all the popular affection and the loyalty of the nobles, and requested that Madrid do something to oblige the Duke to leave the country.<sup>200</sup> Agreeing with Roose's assessment, the Council of State

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<sup>198</sup> Gerbier to Coke, 12 August 1633, TNA SP77/23 f.265.

<sup>199</sup> Gerbier to Coke, 2 September 1633, TNA SP77/23 f.295.

<sup>200</sup> Report of Roose on treaty negotiations, [undated] August 1633, AGS E 2047, 3 [unfoliated]. Roose to Olivares, 13 August 1633, AGS E 2047, 4 [unfoliated]. Roose to Philip, 21 August 1633, AGS E 2047, 5 [unfoliated].

in a session of 21 September impugned Arschot for “speaking with much liberty in the meetings of the States” and ordered the Infanta to punish him at the first opportunity.<sup>201</sup>

Doubtless not wishing to incur the wrath of the people by attacking their leader, the Infanta never chastised Arschot directly. Rather, she did her best to encourage him in his desire to go to Madrid and took every opportunity to speed him on his way. Fearful of losing their champion and wary of what might await Arschot in Madrid, the States’ members sought to preclude the duke’s journey by revoking their letters to the king. Intervening, the Infanta insisted that Arschot make the journey, saying she would send Arschot to Philip in her own name if the States did not give him their authorization. Gerbier observed that this troubled the States who “have for this present absolutely concluded not to send and to hinder, (if they can) that the Duke of Arschot be not led to the said Journey,” seeing in the Infanta’s insistence further reason for caution.<sup>202</sup> The States were astute in their concerns, and the Infanta, having successfully pushed Arschot to commit to his Madrid plans, wrote to Philip with satisfaction that he could expect to have Arschot in his court within some months.<sup>203</sup>

As Spain’s suspicions of a general conspiracy grew, so did the conspirators’ fears of discovery. Shortly after Gerbier’s return from London, rumors began circulating in early August that an express courier had been dispatched to Madrid bearing some top secret report of tremendous gravity. The conspirators immediately feared that the secret

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<sup>201</sup> Council of State, 21 September 1633, AGS E 2047, 2 [unfoliated].

<sup>202</sup> Gerbier to Coke, 19 August 1633, TNA SP77/23 f.277.

<sup>203</sup> Infanta to Philip, 20 August 1633, AGR SEG 207 f.3.

news concerned their negotiations and Gerbier reported that paranoia about discovery had long taken root among them.<sup>204</sup> In the first days of August, reports in the capital confirmed their worst fears. Gerbier relayed to Secretary Coke that

The courier sent to Spaine whereof I made mention in the beginning of my last of the 5th August carrieth advertisements to that King that theise Catholicke States have conferred with ministers of forraine princes whereat the said Catholike States are not little mooved suspecting that some false brothers have discovered many passages which being revealed may cause great troubles amongst them<sup>205</sup>

The timing of this dispatch being so consistent with the 2 August date of Scaglia's first letter to Olivares, it seems without doubt that the secret letters to Spain contained Gerbier's offer to betray the conspirators. Throughout the period, as with his secret communications with the French resident Hubert and the Marquis de la Vieuville, Gerbier made absolutely no mention to his superiors of his own role in these events, leaving London to assume the leak arose from some mysterious source. Accordingly, Gerbier continued to play the same role as intermediary between the conspirators and Charles, despite the fact that he had already begun the process of betraying them. The conspirators sent a new messenger to Gerbier saying they needed Charles's concrete assurances now more than ever. The messenger who "excuseth their silence, conjureth me of prudent carriage on that behalfe which is needlesse motion, if some of them have not kept councill" made plain that the conspirators were baffled at the source of the leak but that Gerbier was far from their suspicions.<sup>206</sup> Gerbier, reporting all this to Charles,

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<sup>204</sup> Gerbier to Coke, 6 August 1633, TNA SP77/23 f.256.

<sup>205</sup> Gerbier to Coke, 12 August 1633, TNA SP77/23 f.265.

<sup>206</sup> Gerbier to Charles, 25 August 1633, TNA SP77/23 f.285.

said he gave them some general assurances that Charles had not forsaken them, but asked the king what more specific promises he could offer.<sup>207</sup> The following days did nothing to allay the fears of the conspirators as the Brussels Council of State issued orders to place the capital under intense scrutiny. No new passports were granted to travel to the Hague, the city guard was doubled, travelers all thoroughly searched in entering or exiting the city, and soldiers were forbidden to leave the city on pain of death.<sup>208</sup> Through it all, the conspirators maintained a faith, albeit perhaps more desperate than confident, that Charles would support them through the future uncertainties and in October Gerbier still reported, “I am sure as yet there is noe alteration in the maine resolution of these Catholike States to relye on their neighbours assistance.”<sup>209</sup>

In another letter to her nephew in August, the Infanta acknowledged receipt of his instructions from July to dissolve the States at the first opportunity. She said that she would wait for the onset of winter, when the close of the campaign season would leave the section of the army under the Duke of Feria (containing many non-Flemish troops) at her disposal should she have need of it.<sup>210</sup> Publicly, the Infanta denied having any orders from Spain whatsoever, and excused her unwillingness to participate in the States’ negotiations as arising from Madrid’s silence.<sup>211</sup> When couriers from Spain arrived bearing military orders and bills of exchange for soldiers’ pay but nothing pertaining to

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<sup>207</sup> Ibid. f.285v.

<sup>208</sup> Gerbier to Coke, 26 August 1633, TNA SP77/23 f.287.

<sup>209</sup> Gerbier to Charles, 14 October 1633, TNA SP77/23 f.388.

<sup>210</sup> Infanta to Philip, 20 August 1633, AGR SEG 207 f.23.

<sup>211</sup> Gerbier to Coke, 21 October 1633, TNA SP77/23 f.395.

the negotiations, it was clear that the omission was deliberate and that in the aftermath of Philip's castigating letter to the States from July, Madrid refused to even discuss the subject of the treaty.<sup>212</sup> Knowing that an order for dissolution was imminent, Arschot was all the more determined to go to Madrid to plead the case of the States. Recognizing the handwriting on the wall, the States' members abandoned their efforts to prevent Arschot's departure: "The Catholike States (for this time) doe not divert him from the journey longing to know their kinges last resolution concerning their negotiation they difray the Duke but in secret."<sup>213</sup> When Arschot departed in November for Spain, his prospective traveling companion the Bishop of Ypres opted to remain in Flanders, "said not to like it, remembring that of Champigny in former times of troubles."<sup>214</sup>

While the Spaniards were awaiting Arschot's arrival in Madrid, their negotiations to purchase Gerbier's information had come to a conclusion. The Council of State's *consulta* of 14 September accepting Gerbier's offers had ordered the Infanta to conclude an agreement and seconded Philip's instructions to his aunt to keep the price as low as possible.<sup>215</sup> Acknowledging these, the Infanta wrote to Madrid in late September promising to haggle with Gerbier as much as she could and also, reflecting the assumptions held in Madrid that Gerbier's secrets must pertain to the disaffected French exiles in Brussels, assured Philip that the Duke of Orleans would not be allowed to leave

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<sup>212</sup> Gerbier to Coke, 28 October 1633, TNA SP77/23 f.405.

<sup>213</sup> Gerbier to Coke, 4 November 1633, TNA SP77/23 f.413. Gerbier to Coke, 11 November 1633, TNA SP77/23 f.421v.

<sup>214</sup> Gerbier to Coke, 18 November 1633, TNA SP77/23 f.433.

<sup>215</sup> Consulta of the Council of State, 14 September 1633, AGS E 2151 [unfoliated].

the city until Gerbier's information was clear.<sup>216</sup> By the beginning of November, just as Arschot was leaving Flanders, the Infanta wrote back to say she had been unable to reduce Gerbier from the 20,000 escudos he had demanded, and had acquiesced because of the English agent's insistence that the information was extremely critical to the security of Flanders and involved secret treaties of Charles, Richelieu, and the Prince of Orange with the States in Brussels. Apologizing for this largesse, she said "it would be convenient to the service of your Majesty not to lose time in preparing a remedy for the damages that could result if Gerbier withdrew what he has offered from not receiving full satisfaction."<sup>217</sup> Accordingly, she drew the funds directly out of the military budget and ordered Scaglia to see to the payment and getting Gerbier's reports sent to the courts at Brussels and Madrid with the greatest possible haste. By the end of November, Philip responded to thank the Infanta for her diligence and prudent care while also ordering her to immediately dissolve the States without any further delay.<sup>218</sup>

While Madrid would not get the full report of the conspiracy until December, the news quickly shook Brussels, which had already been under tight security since mid-August.<sup>219</sup> At the end of November, Gerbier wrote to London that the conspiracy had been unmasked and it was confirmed that a secretary Juan de Benavides had been sent off to Madrid earlier that month "for certaine carrieth most part of these Catholike states

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<sup>216</sup> Infanta to Philip, 20 September 1633, AGR SEG 207 f.188.

<sup>217</sup> Infanta to Philip, 8 November 1633, AGR SEG 207 f.317.

<sup>218</sup> Philip to Infanta, 19 November 1633, AGR SEG 207 f.366.

<sup>219</sup> Council of State, 27 December 1633, AGS E 2047, 47 [unfoliated]. Henrard, *Marie de Medicis*, p.445.

secret negotiation with their neighbors none excepted which have stroken many of them with terror. The party who should have discovered said mistery (as my corespondent saith) unknowne.”<sup>220</sup> Gerbier also expressed his concern to Secretary Coke should his own role be exposed, though in a way entirely excluding any mention of his part in revealing the conspiracy to the Spaniards. If challenged, Gerbier said he would cast himself as a mere servant of his royal master only doing his duty: “I shall attend the storme with that face as becomes a publike minister who hath eares to heare, but noe tongue to answeare on soe extraordinary case, till his souverain bids him.”<sup>221</sup> This would be Gerbier’s consistent defense in the years to come of his dealings with the conspirators, but his independent action in casting the chief members into the Spaniards’ clutches seems indisputable. It is true that in December, Philip wrote to Scaglia that he had already heard of this conspiracy from “many sources” which seems evident given his order to the Infanta to secure the borders and ports in June. Among these many sources, Philip even said that Charles “had said much before to Juan de Necolalde that there was in those provinces a conspiracy.”<sup>222</sup> While it is possible and even likely that Charles may have dangled rumors of a Flemish conspiracy in front of Necolalde in an effort to remind Spain of its need for friendship with England, it seems safe to assume that if Charles had planned on betraying the conspirators he would have ordered it done in such a way that would have benefitted himself and his government as a whole, and not merely his agent

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<sup>220</sup> Gerbier to Coke, 25 November 1633, TNA SP77/23 f.439.

<sup>221</sup> Ibid.

<sup>222</sup> Copy of letter of Philip to Scaglia, 14 December 1633, AGR SEG 207 f.409.



in Brussels. Additionally, Gerbier's prior secret negotiations with Richelieu would have been entirely contrary to Charles's somewhat icy policy towards France in 1633.<sup>223</sup> In light of this, Gerbier's concern about being named among the confessions extracted from the rebels was likely rooted as much in fears of exposure to Charles's wrath as to being accused of espionage by the Spaniards.

Whatever his interior trepidations may have been, Gerbier continued to dispassionately report the unfolding drama from Brussels. When word of the conspiracy broke out, the States had immediately tried to formally recall Arschot from Spain to save him from what they were increasingly convinced would be a waiting trap. Summoning their members to a full assembly, the States also tried to take advantage of the death of the Infanta, which occurred 1 December, to assert control in the capital, disputing the authority of the Marquis d'Aytona who had assumed the interim governorship pending the arrival of the Cardinal-Infante.<sup>224</sup> Aytona commanded the loyalty of most of the government ministers and the army, so these attempts bore no fruit, neither did the States' efforts to bring Arschot back safely to Flanders. Arschot arrived in Madrid at the end of December.<sup>225</sup> Arthur Hopton, who was completely ignorant of his counterpart's doings in Brussels, saw the duke's arrival as a fool's errand, writing to Secretary Coke that "They say the Duke bringes ouvertures of a Truce from the Hollanders which if hee doe, as thinges now stand, the conditions must bee very unreasonable if they bee refused, and

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<sup>223</sup> Sharpe, *The Personal Rule*, pp.82-84.

<sup>224</sup> Gerbier to Portland, 16 December 1633, TNA SP77/23 f.463.

<sup>225</sup> Henrard, *Marie de Medicis*, pp.236-238.

mee thinkes if they were soe hee should not bringe them.” Hopton astutely guessed that something was amiss, for though Arschot had been well-received, the court had ordered that the duke not reside as planned in the country estate of a cousin, but rather in a house in Madrid owned by the king.<sup>226</sup> Arschot evidently shared Hopton’s unease and Gerbier reported that upon arrival Arschot had written a “secret letter of his to the confidents of the Catholike States beare his desioure they should press for his retourne.”<sup>227</sup>

Arschot’s stay in Spain during the first months of 1634 outwardly seemed little affected by the discovery of the conspiracy in Flanders. Publicly, both Olivares and Arschot maintained the image of discussing the treaty with Holland, and the duke continued to send his supporters in Brussels reports of his talks with Olivares and Philip, where hope still lingered for a peace.<sup>228</sup> At the end of February Arschot was even making plans to return to Flanders, and he was eagerly expected by the States and the faithful few who still entertained dreams of a treaty.<sup>229</sup> The hammer finally dropped in April, when satisfied by the information they had gained from Gerbier and elsewhere, Philip and Olivares placed Arschot under arrest. Hopton reported the incident to London, describing an encounter where Philip had summoned Arschot to the palace in the middle of the night and personally interrogated the duke regarding a conspiracy in Flanders. After the duke persisted in denying knowledge of any such thing, Philip sent him home.

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<sup>226</sup> Hopton to Coke, 27 December 1633, TNA SP94/36 f.369. Gerbier to Coke, 31 March 1634, TNA SP77/24 f.111.

<sup>227</sup> Gerbier to Coke, 20 January 1634, SP77/24 f.11.

<sup>228</sup> Gerbier to Coke, 17 February 1634, SP77/24 f.43.

<sup>229</sup> Hopton to Coke, 25 February 1634, TNA SP94/37 f.10v.

Reaching his front gate, Arschot found himself locked out of the house. Directed by a porter to go around the side of the house, “att the first doore the Captaine of the Spanish guard mett him, and tooke him prisoner and caryed him by a backe way to a coach with six mules wherein hee was presently conveyed to to a castell three leagues out of the towne.”<sup>230</sup> The news immediately set people talking in the court and Hopton was able to make some fairly accurate guesses as to the reasons. “[W]ee take it for certaine to bee some conspiracy in Flanders, for the lettres that have gone thether, and those that have bin brought thence of late have bin detained,” he wrote, adding that Arschot’s guilt was not much doubted: “it seemes they want noe matter against him for three great packets that came by the Ordinary of Flanders, since his imprisonment lye in the office and noe body will take them.”<sup>231</sup>

While Arschot’s arrest came as a shock to observers like Hopton, Philip and Olivares had been planning his detention and interrogation since the Infanta first wrote to confirm Arschot would be going to Spain. In a letter to Aytona in January, about a month after the duke’s arrival in Madrid, Philip wrote that while Arschot was making all manner of defense regarding the States’ desired treaty, “the letters of my aunt, the declarations of the Count of Egmont, *and of that confident of the Abbot*” had all served to give Philip an accurate picture of what had been happening in Flanders and the duke’s role in it.<sup>232</sup> The Count of Egmont had been involved in the conspiracy as well, but

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<sup>230</sup> Hopton to Coke, 16 April 1634, TNA SP94/37 f.24. Henrard, *Marie de Medicis*, pp.451-456. Vermeir, “De Hertog van Aarschot,” p.77.

<sup>231</sup> Hopton to Coke, 25 April 1634, TNA SP94/37 f.28.

<sup>232</sup> Philip to Aytona, 31 January 1634, AGR SEG 209 f.9. Emphasis added.

fearing for his safety had divulged what information he knew in exchange for his own amnesty.<sup>233</sup> Mated with Gerbier's report, the Spaniards were able to build a complete account, and knew that while Arschot had managed for the most part to keep his own hands clean, he was intimately aware of the conspiracy and could thus be detained without controversy.<sup>234</sup> In March some two weeks prior to his arrest, Arschot began being subjected to repeated questioning from Philip and Olivares. Following these sessions, Philip wrote to Aytona that in his discussions with Arschot he had grown extremely worried about Flanders, and particularly with Arschot's confederates, the princes of Espinoy and Barbançon. Philip charged Aytona with taking measures against the princes and preventing them from precipitating any further unrest, and also commissioned Aytona to finally dissolve the States, which the Infanta's death had inadvertently prolonged. Additionally, he stipulated that President Roose be given a strong hand in all procedures against rebels as it was "convenient to execute all [the proceedings] by the hands of natives of the country." Together with Roose, Aytona was entrusted with the full handling of the crisis with power to punish and pardon, Philip at that point being more concerned with restoring order in Flanders than seeking justice against every potential traitor.<sup>235</sup>

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<sup>233</sup> Declaration of the Count of Egmont, 22 December 1633, AGS E 2048, 38 [unfoliated]. Council of State, 25 January 1634, AGS E 2048, 36 [unfoliated].

<sup>234</sup> Philip to Aytona, 31 January 1634, AGR SEG 209 ff.10-10v.

<sup>235</sup> Philip to Aytona, 18 March 1634, AGR SEG 209 ff.67-68v.

Philip's letter was sent personally in the care of President Cost of the Council of Flanders to Brussels, and when it arrived its contents shocked Aytona. The marquis nevertheless immediately went to work and Gerbier began reporting the long-anticipated round-up. The Prince of Barbançon was arrested and carried off to the citadel of Antwerp, while the Baron of Crèvecoeur, one of his associates, was imprisoned at Ghent. At the same time, news reached the capital of Arschot's imprisonment in Spain, though with the understanding "his confinement not for crime by himselfe comitted but for having concealed that of others."<sup>236</sup> Espinoy, having not been home when the guards came for him, fled the country into France. Via Aytona, Gerbier was able to collect an account of Arschot's interrogations, perhaps eager to see if he had been mentioned in them. Arschot had evidently clashed with Olivares throughout his visit, accusing the count-duke of having instigated the whole affair with his disregard for the provinces of Flanders. Philip's arresting of him and questioning brought Arschot to heel and under the king's scrutiny he delivered a series of written depositions in which he identified Barbançon and Espinoy and the Duke of Bourneville as the principal leaders of the conspiracy, and also implicated the role of foreigners in abetting it.<sup>237</sup> Bourneville had also escaped thanks to a tip from the anti-Richelieu exile Duke of Elboeuf, though Espinoy's escape was the greatest irritant, "being concealed the prime person with whome thought stronghands joyned."<sup>238</sup>

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<sup>236</sup> Gerbier to Coke, 28 April 1634, TNA SP77/24 f.169. Janssens, "L'echec des tentative," pp.112-116.

<sup>237</sup> Gerbier to Coke, 5 May 1634, TNA SP77/24 ff.187-187v. Philip to Aytona, 15 April 1634, AGR SEG 209 f.100.

<sup>238</sup> Gerbier to Coke, 5 May 1634, TNA SP77/24 f.188.

As the Spaniards made efforts to bring Espinoy and Bourneville back into Flanders either by capture or plea-bargain, Arschot continued to deliver depositions to the Spaniards further implicating many. Gerbier wrote that all the duke's friends were now viewed with suspicion, and the Count of Noyelles told Gerbier that before Arschot's departure for Madrid he had urged the duke, "hould his tongue or els lost in Spain."<sup>239</sup> Arschot's public life was over, "the number of his friends here decrease, few pittie him, his carriage considered" and the experience of imprisonment and betraying his confederates would take a heavy toll, leaving him sickly until his premature death under house-arrest in Madrid in 1640.<sup>240</sup> In July 1634, nearly a full year after writing to the late Infanta to dissolve the States General, Philip via Aytona finally sent the members home.<sup>241</sup> With their efforts stained by the treason of the conspiracy and the Dutch newly emboldened by an alliance with France and clearly unreceptive to any sort of treaty, the whole affair of the 'Free Catholic States' likewise came to an end.

## **VI. Gerbier's Role and Legacy**

If Gerbier's persistent badgering of Aytona for details of Arschot's deposition had arisen from fears of being implicated himself, his concerns proved justified. Among his accusations of the Princes of Barbançon and Espinoy, Arschot also stated:

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<sup>239</sup> Gerbier to Coke, 19 May 1634, TNA SP77/24 f.214.

<sup>240</sup> Gerbier to Coke, 7 July 1634, TNA SP77/24 f.285v.

<sup>241</sup> Copy of Philip's letter to the Estates, 5 July 1634, TNA SP77/24 f.281.

I remembered later that it is true that I was once with an English secretary, who proposed to me that in the difficulties then engulfing the business of Flanders it was necessary to turn to the kings of England, France, and the rebel States to guarantee that the obedient States would not be divided, to which I responded that I would never fail in the obligations of a good vassal<sup>242</sup>

Aytona alerted Gerbier to these statements, which prompted a flurry of activity by which Gerbier sought to exonerate himself from the accusations of having attempted to entice the duke away from his obedience to the King of Spain. Gerbier wrote of these matters to London begging Charles to support him, “I shall patiently looke towards your Majestie who knoweth my proceeding answeare for myselfe, who have indeavored to conforme my actions by the rules of my instructions.”<sup>243</sup> Gerbier attempted to foist the label of “English secretary” onto his own secretary Sidney Bere, on the basis that he himself was officially styled “English agent.” To this end he interrogated Bere and had him sign a statement declaring he had never taken any counsel with the Duke of Arschot nor any members of the States.<sup>244</sup> When Gerbier delivered this to Aytona he accompanied it with a statement of his own declaring that only once in May 1633 did he ever speak privately with Arschot, and that only because Arschot desired Gerbier’s assistance in obtaining permission for his nephew, the Prince of Chimay, and brother, the Count of Beaumont, to attend Charles’s Scottish coronation.<sup>245</sup>

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<sup>242</sup> Deposition of Duke of Arschot given in Madrid, 16 April 1634, SEG 209 f.112.

<sup>243</sup> Gerbier to Charles, 29 April 1634, TNA SP77/24 f.173.

<sup>244</sup> Examination of Gerbier concerning Sidney Bere, 29 April 1634, TNA SP77/24 f.174.

<sup>245</sup> Declaration of Gerbier to Aytona, 2 May 1634, TNA SP77/24 ff.183-184.

Being presented with these unsolicited statements, Aytona accepted them amicably enough, but told Gerbier that the defensive response appeared incongruous since only a “secretary” was named. Gerbier responded that his proactive defense was merely to “prevent what false accusations otherwayes may cause, not only in the opinion of Princes, but of people who once possest committ themselves to furies” and that to protect his credibility wished it known that he “kept not Secretary Seducer of the King of Spaines subjects.”<sup>246</sup> In further attempt to dismiss the merits of Arschot’s deposition he declared the duke “to give appearance of truth accuseth such as may be thought to have spoken to him & his best friends.”<sup>247</sup> Despite all these professions of innocence, Gerbier evidently felt extremely vulnerable, begging Charles to send him new letters of credence addressed to Aytona, lest his now obsolete letters to the Infanta be taken as a sign that his diplomatic immunity had lapsed.<sup>248</sup>

By mid-May, copies of Arschot’s deposition had arrived in Brussels and become the subject of many whisperings at court. Gerbier was naturally indignant at this, as much of the talk centered on Arschot’s statement regarding the “English secretary” who came to pry him away from his fealty to Spain. As always, he maintained as his defense that he was merely following orders and performing his duties: “The birds of the aire may as well be accused of gilt for having heard the sound of bells, as a publike minister hearing of what passeth in the place of his residence & for the account thereof rendred

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<sup>246</sup> Gerbier to Coke, 5 May 1634, TNA SP77/24 ff.188v-189.

<sup>247</sup> Ibid. f.189v.

<sup>248</sup> Ibid.



where his duty binds him.”<sup>249</sup> As the month progressed, Gerbier continued to battle the tongues of court-gossip, evidently seriously relieved when rumors began spreading concerning John Taylor as an alternate candidate for the mysterious English secretary. “Its said Mr Taylor att his being here had discourse with the Bishop of St Thomers on which reflexion is made by some the Duke of Arschots naming an English secretary meant him” to which was added that Taylor had allegedly visited Rubens at Antwerp before his return to London in an effort to purchase Rubens’s loyalty for England.<sup>250</sup> To an observer, Gerbier’s passionate reaction to the statements regarding the “English secretary” and his overzealous efforts to deflect the accusations from himself appear classic symbols of guilt. Aytona’s surprise at Gerbier’s unsolicited testimonials seems in realization of this. The significance was not lost on Secretary Coke, who on behalf of Charles wrote to Gerbier to stop drawing attention to the matter:

Whether you or Mr Tailor or some other were therby ment you do not yet understand neither doth ani other take upon him to declare that you are so ielous of the application to yourself and so readie to make a remonstrance in your iustification and with al desirous to know his majestie’s pleasure therein, proceedeth dowbtless from your zeale and tenderness in al things which may by you tranch upon his Majesties honor<sup>251</sup>

Coke relayed that Charles himself advised Gerbier that “you must not take notice of anie rumors not avowed by the authors, for such an untimely and unnecessarie defense wil bee intepreted as a consciousness of gilt” and that thus far Gerbier’s activities had only served

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<sup>249</sup> Gerbier to Coke, 12 May 1634, TNA SP77/24 f.204.

<sup>250</sup> Gerbier to Coke, 19 May 1634, TNA SP77/24 f.214.

<sup>251</sup> Coke to Gerbier, 24 May 1634, TNA SP77/24 f.223.

to “give advantage to people to quarrel your actions & bring you upon the stage in everie gazet.”<sup>252</sup>

Charles’s words were prophetic for Gerbier soon found himself even more deprived of friends and allies than he had been previously. Don Carlos Coloma, who was one of the architects of the 1630 Anglo-Spanish peace and had been a reliable ally to Gerbier in the Brussels court, now turned on Gerbier, saying he regretted having in 1630 recommended Gerbier to Charles and the Infanta for his posting to Brussels as English agent. Gerbier resented these words, insisting that he had secured the appointment on his own merits and further that only an English secretary was mentioned, not an agent. Gerbier said Coloma was unimpressed with the distinction, replying, “true an English Secretary named but I the man meant.”<sup>253</sup> Despite Aytona’s reticence, in letters exchanged with Philip, the King of Spain had immediately identified the English secretary as referring to Gerbier, with which Aytona evidently agreed.<sup>254</sup> Rubens, another comrade of the 1630 treaty, and ever Gerbier’s friend, came on a personal visit to Gerbier’s house in Brussels to warn him that Gerbier “was meant by the name of an English secretary, Spaine calling by that title such as are not ambassadors.”<sup>255</sup> Guaranteeing longevity to the controversy, in August Arschot made another deposition, in which he again named the Duke of Bourneville and the English secretary, refusing to

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<sup>252</sup> Ibid. ff.223-223v.

<sup>253</sup> Gerbier to Coke, 9 June 1634, TNA SP77/24 ff.244v-245.

<sup>254</sup> Philip to Aytona, 16 April 1634, AGR SEG 209 f.105.

<sup>255</sup> Gerbier to Coke, 16 June 1634, TNA SP77/24 f.253.

back down from the statement even in face of Gerbier's declarations for himself and Sidney Bere.<sup>256</sup>

While Gerbier, likely due to his role in alerting the Spanish authorities to the conspiracy, was never formally accused of any crime, his reputation was forever blackened. When Tailler returned from his six-year residency in London in 1636, he brought his loathing of Gerbier with him, and became a constant source of aggravation for Gerbier as he continued to spread ill will among the ministers in Brussels.<sup>257</sup> The mission of the Count of Villamediana to England in the same year, saw the Count appeal to Charles that Gerbier be recalled from Brussels.<sup>258</sup> This request was renewed by Necolalde in 1637, wanting Charles to replace Gerbier with Arthur Hopton, who had shown himself well-disposed in Madrid. Necolalde justified the complaints against Gerbier by citing the known "intelligences and news he shares from [Flanders] with all our enemies, as he does with the Prince of Orange and the Cardinal de Richelieu."<sup>259</sup> Demanding Gerbier's removal became a consistent request from the Spanish residents in England from then on. When Alonso de Cardenas first arrived in England to succeed Necolalde, one of his instructions from the Cardinal Infante was to "repeat anew to that king the requests made to him by the Count [of Villamediana] representing to him that Gerbier is not his vassal but a Dutch rebel, and so his principal occupation in Brussels is

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<sup>256</sup> Gerbier to Coke, 18 August 1634, TNA SP77/24 f.336v. Andres de Rocas to Philip, 10 August 1634, AGS E 2048, 34 [unfoliated].

<sup>257</sup> Gerbier to Coke, 9 August 1636, TNA SP77/26 f.249.

<sup>258</sup> Gerbier to Coke, 5 June 1636, TNA SP77/26 ff.184v-185.

<sup>259</sup> Necolalde to Cardinal Infante, 10 July 1637, AGR SEG 367 f.281v.

to be an agent of Holland, which is unfitting of a friendly king.”<sup>260</sup> While Gerbier would always refer to his naturalization, the Spaniards would never forgive him for his Zeeland birthplace or his obvious contempt for the Habsburg cause and favoring of Spain’s enemies. Gerbier was outraged at these efforts and consistently sought to counter them by filling letters with professions of his loyalty and cataloging his services to the Crown. As usual, he chose to cast the hostility of the Spanish ministers as evidence of his faithful representation of his king:

But this Residency proved the worse to me of all others I could have bin putt into by reason of the unexpected changes and inbroiles from all sides the comming of great gests (Queen Mother, and Monsieur) on which followed the warres with France, the distraction of this people, the best whereof were moved to change coates (as a next best to escape an utter spoliation of coates and skinnes) during which changes accidents and crises many things were to be observed which did heighly concerne his Majestie and the good of his domains, of all which I have given punctuall and frightfull account in fitt times, though I suffered and became a martir for so doing<sup>261</sup>

Consistent throughout the remainder of his residency, Gerbier never admitted to any of his secret dealings with Scaglia and the Spanish government and his principal role in the downfall of the Free Catholic States. When the conspiracy first began to crumble in 1634, Gerbier portrayed himself as just as much a hapless observer to the events as the conspirators. Even his efforts to prove his innocence against identification with the English secretary, while evidently transparent to Charles in their indications of some level of complicity, may have been a deliberate effort on Gerbier’s part to distract Charles or Coke from suspecting anything more than a minor diplomat’s fear of

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<sup>260</sup> Cardinal Infante to Philip, 2 August 1638, AGR SEG 219 f.505.

<sup>261</sup> Gerbier to Windebank, 28 May 1639, TNA SP77/29 ff.209-209v.

discovery and punishment consistent with what they believed his role to be. While this may seem to attribute too much deviousness to Gerbier's actions, on later occasions he never wasted any opportunity to deflect suspicions away from his person and encourage Charles and his secretaries in alternative explanations for the leak of the conspirators' secrets. Taken in perspective, Gerbier's characteristic slipperiness leaves a wide margin of plausibility for all theories of subtle attempts at obfuscation.

In response to the Count of Villamediana's 1636 request for his removal, Gerbier who feared recall and subsequent unemployment, petitioned Charles to leave him in Brussels in light of his past service record. He trumpeted having "hindred these States from casting themselves headlong eather in the French or Hollanders hands, which would have bin to your Majesties prejudice" as one of his finest achievements along with preventing the Queen Mother from relocating to England and continually pestering the Spaniards regarding the Palatinate.<sup>262</sup> Characterizing his actions as a hindrance to the conspirators was more revealing than his earlier portrayals of the event, since it presupposed that the subsequent failure of the conspiracy was an intended outcome. Nevertheless, he still left out any mention of having uncovered the plot to the Spaniards. In 1637, when discussing another wave of restlessness among the Flemish population, Gerbier reminded Coke of the events of 1632-34 when "I had just subject to be confident Flanders would have worne [the livery] of England iff false Brothers and advertisements from sombody in England (which indengerod my life and wholle family) had not first

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<sup>262</sup> Gerbier to Charles, 5 June 1636, TNA SP77/26 ff.184-184v.

discovered the casse.”<sup>263</sup> “Somebody in England” would again be brought out as the bête-noir when Gerbier next desired to play the victim in a request for money later that same year:

This I endeavoured notwithstanding great dangiours against my person and family, and the perfidiousnes of a party in England who discovered unto the late Infanta (by his letter which was redd in presence of Duke of Arschot, Count of Egmond, Prince d’Espinoy, and Barbansson) wherein all what I had written of these states<sup>264</sup>

Purporting to have learned of this letter through his confidants in the Brussels court, Gerbier conveniently never claimed to have seen the letter personally or have any notion of its provenance. This would be as close as he would ever come to an admission.

Like a vengeful spirit, the affair of the Free Catholic States always pursued Gerbier until his final departure from Brussels. Gerbier, who despite Charles’s warnings in 1634 was still occasionally prone to dramatic denunciations of the accusations made by his enemies in Brussels, received a shock in 1640 when letters from Madrid suggested his doings were being re-evaluated in Philip’s court. Worried, Gerbier wrote to Charles that he had received a letter from Hopton warning him that the titular Bishop of ‘s-Hertogenbosch had in public said that Gerbier, “ought to loose my head on a scaffel on this marketplace for having (said he) endeavoured to move these peoples unto rebellion by meanes of the Duke of Arschot.”<sup>265</sup> Gerbier’s letter to Charles betrays the great irritation and trepidation he felt whenever the events of 1633-1634 were invoked, and he

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<sup>263</sup> Gerbier to Coke, 21 February 1637, TNA SP77/27 f.61v.

<sup>264</sup> Gerbier to Coke, 15 August 1637, TNA SP77/27 f.317v.

<sup>265</sup> Gerbier to Charles, 10 March 1640, TNA SP77/30 f.94.

was determined to finally put the rumors to rest. To achieve this, he asked Charles's permission to introduce certain demands with the Spaniards. First, he wished to demand that the Spaniards cease with the mutterings and formally accuse him of being the "English secretary." If they did, he meant to insist that Arschot, still detained in Spain and near death, provide incontrovertible proof that he had ever taken counsel with Gerbier. Additionally, Gerbier claimed to have it from Arschot's personal physician, who had returned to Brussels in 1637, that during 1634 the duke never "spake lesse write anything of what bruted here to his preiudice" and requested that Charles pursue the matter in Madrid via Hopton. To help clear his name, Gerbier offered to draw up a complete record of his doings (and Charles's) during the period of 1632-1634 and his contacts with the conspirators, which at that point he still insisted were only passive reception of their offers of sedition: "and prove likewise by your Majesties most prudent and just orders, how much the King of Spaine was behoulden unto your Majestie and that I have deserved thanckes, not threatenings of loosing my head."<sup>266</sup> Sending a further petition to Secretary Windebank, Gerbier's outrage and desperation were plain. He declared "theire is noe reason the English nation should suffer by the imputation laid on an English Secretary lesse I who never had that title" and that

the Spaniards for as they would be undeceived with the truth, they would see that these Provinces would have bin in the subjection of France and the Hollanders had I not bin a watchfull sentinell and not hindered (which I may say without vanity for no man living can frustrate me of that glory) the desperate party to throw themselves away<sup>267</sup>

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<sup>266</sup> Ibid. ff.94-94v.

<sup>267</sup> Gerbier to Windebank, 10 March 1640, TNA SP77/30 ff.96v-97.

Clinging to the notion that the Spaniards seeing the “truth” would thank him rather than condemn him for his actions, Gerbier again proposed a full disclosure to set the rumors of his misdeeds to rest. Gerbier’s concept of the truth was as mysterious as ever, for even as he urged Charles and Windebank to permit him to show the Spaniards his letters and orders, he continued to withhold the full account of his actions from London.

Going ahead with his plan, in March 1640 he produced a suitably doctored account of his dealings with the conspirators, in which his role is presented as entirely passive, only passing along communications between Charles and the conspirators. His urging of Charles to take action is absent from the account, and rather Charles’s conservative and vacillating instructions take center stage as Gerbier stresses that Charles explicitly warned him not to encourage the conspirators’ planned revolt. Similarly, Charles’s instructions to convince the plotters of the advantages of an English alliance are edited to make the hindering of the efforts of the French and Dutch to swallow the provinces of Flanders appear the more principal aim.<sup>268</sup> Even in this sanitized form, Charles forbade Gerbier to deliver the document or any like it to the Spaniards. Windebank related that Charles found the account to “perhaps fit not the publike view in this Age, in consideration of divers his Majesties Allies.”<sup>269</sup> Windebank wrote to say that Hopton had been given instructions to pursue the matter in Madrid and suggested that Gerbier might send whatever letters he thought Hopton would find useful.<sup>270</sup> Later after

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<sup>268</sup> A Summary Relation of Proceeding with the Catholic States, 31 March 1640, TNA SP77/30 ff.120-127v.

<sup>269</sup> Gerbier to Windebank, 31 March 1640, TNA SP77/30 f.118.

<sup>270</sup> Gerbier to Windebank, 7 April 1640, TNA SP77/30 f.134.



Windebank cautioned Gerbier against sending Hopton anything that might “reflect on his Majestie,” Gerbier did not send anything more than copies of the certificates he had made in 1634 professing his innocence and that of Sidney Bere in being the named English secretary.<sup>271</sup> Windebank, after catching glimpse of the summary relation Gerbier had prepared and sent to Charles, further warned Gerbier that the sanitized account was unsuitable for even Hopton’s eyes, much less any Spaniards.<sup>272</sup> In the face of this, and even Hopton’s suspicions that Gerbier was overreacting to what had actually been said about him, Gerbier gave up further efforts to exonerate himself, bemoaning that he was doomed to “suffer for ever in the Spaniards opinion, and soe remayne a martir, though never to be canonized by them.”<sup>273</sup>

When Gerbier finally left Brussels in October 1641, he was just as happy to leave as the Spaniards were to be rid of him. When Gerbier arrived in London, he succeeded John Finet as Charles’s Master of Ceremonies, a position he had requested and been promised by Charles in 1639 via the patronage of the Duchess of Buckingham.<sup>274</sup> His reputation in England was perhaps little better than in Flanders, and he was viewed as extremely untrustworthy. The Free Catholic States affair doubtless played some role in these perceptions, as evidenced by the fact that when testifying in the House of Lords on

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<sup>271</sup> Gerbier to Windebank, 5 May 1640, TNA SP77/30 ff.158-158v.

<sup>272</sup> Gerbier to Windebank, 12 May 1640, TNA SP77/30 f.164.

<sup>273</sup> Gerbier to Hopton, 19 May 1640, TNA SP77/30 ff.176-176v. Gerbier to Windebank, 19 May 1640, SP77/30 f.174. Gerbier to Windebank, 12 May 1640, TNA SP77/30 f.164.

<sup>274</sup> Gerbier to Windebank, 24 September 1639, TNA SP77/30 f.353. Wood, “Gerbier, Sir Balthazar,” *Dictionary of National Biography*.

8 July 1641, ostensibly pertaining to Charles's efforts to secure redress of English vessels seized by the Dunkirkers, he sought to shift all responsibility for the betrayal of the conspirators onto Francis Cottington. Knowing that the Cardinal-Infante would be curious to hear Gerbier's appraisal of his time in Brussels, Cardenas reported the incident from London. "When the conspiracy of some Barons of Flanders asked him to negotiate that the King of England would be their protector and offered to place in the king's hands some places," Gerbier had testified, "having written of this to His Majesty of Great Britain, not only did the Baron Cottington obstruct it, but he sent a copy of his letter to the Lady Infanta Isabel."<sup>275</sup> Gerbier claimed his accusations could be verified by the Marquis de la Vieuville and the Count of Egmont, who were both then loitering in London. When questioned, however, the two exiled nobles denied having heard of any such thing. Accordingly, Gerbier's allegations were thrown out and Gerbier himself chastised by the Lords, greatly amusing Cardenas.<sup>276</sup> Continuing to show little loyalty to Charles or his ministers, during the Civil War Gerbier became a Parliamentary supporter in an effort to provide for his own security. With the Restoration, Gerbier would lose everything once again and lived the short remainder of his life in disgrace and obscurity.<sup>277</sup>

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<sup>275</sup> Cardenas to Cardinal-Infante, 26 July 1641, AGR SEG 373 f.71.

<sup>276</sup> Ibid, f.71v.

<sup>277</sup> Matthew Jenkinson, *Culture and Politics at the Court of Charles II, 1660-1685*, (Woodbridge, 2010). Wood, "Gerbier, Sir Balthazar," *Dictionary of National Biography*.

## VII. Conclusion

In reviewing the account of Gerbier's handling of the Free Catholic States conspiracy and his role as the intermediary between the conspirators and his king, the verdict must unquestionably be that Gerbier was a faithless and self-serving opportunist and a woefully ill-chosen minister of his king. Nevertheless, the episode is quite revealing about the character of Caroline diplomacy and the way Charles's policies could be interpreted by observers, both foreigners and his own agents. In the previous chapter, Gerbier's annoyance with Charles's unwillingness to employ his ship money fleets aggressively was clearly manifest in his letters, in which he bemoaned the lost opportunities for Charles to oblige the Spaniards to take him and his interests seriously. In the next chapter, Gerbier's frustration with the timidity of Caroline policy will be brought into much sharper relief within the greater context of the never-ending negotiations pertaining to the Palatinate restitution. In this matter Gerbier was able to find agreement even with the Spaniards, whose emissaries and intermediaries plainly declared on multiple occasions that decisive action from Charles would allow much to become possible toward giving him some satisfaction, but otherwise all English demands would be in vain.

Once again, Charles's fundamental problem was his unwillingness to ever commit to any irrevocable course of action, a lukewarm approach to politics that left him shackled by his own irresolution even in moments of relative strength. In the example of the Free Catholic States conspiracy, Charles appeared to be genuinely interested in

exploring the possibilities offered to him for an independent southern Netherlands under English protection, and thus ordered Gerbier to treat with the conspirators on his behalf. His initial insistence that Gerbier not do anything to positively encourage the seditious plot was a reasonable enough precaution, but his general distance and silence on the matter as events in Brussels continued to unfold demonstrated his unwillingness to do anything more than accept the provinces of Flanders into his hands once they had already unilaterally done the work of separating themselves from Spain. Gerbier, already perceiving his master's flightiness in matters of state, no doubt foresaw the ultimate failure of the conspiracy, or at least England's role in it. Taking this into account, one can almost forgive him for deciding that if the entire affair was to end in disaster, he might as well profit by it while he could.

While this sort of criticism lends credibility to the activist stances taken by ministers like Gerbier, it would be wrong to conclude that an aggressive foreign policy would have been the answer to all Charles's problems. In this particular example, Charles's indecision and ultimate abandonment of the conspirators turned out to be in hindsight the 'correct' choice given Spain's complete recovery of authority in the provinces. This is borne out by Gerbier's subsequent recasting, even in frank internal communications with Charles and Coke, of the negotiations as being intended to the hindering of the pro-French party among the conspirators, rather than the active recruitment of the Flemish nobles to a pro-English position. At this, one could argue that Charles's passive policy was thus justified, but its apparent aptness in this case was more based on happenstance than any sort of calculated risk. Charles had no way of knowing

that the Spaniards would successively weather the military and political turmoil of 1632-1634. Indeed, at the height of the conspiracy, Gerbier, whose reports were the primary intelligence source for Charles and his ministers, was completely convinced that the provinces were doomed to either break with Spain or suffer conquest and absorption by France or Holland, and that similarly without English help, even the revolution could not stave off the conquest.

What ultimately saved the provinces was the halting of the Dutch offensive in the aftermath of Maastricht, in part due to infighting between Orange and the towns of the Dutch provinces regarding the treaty negotiations with the States in Brussels,<sup>278</sup> and the fact that even in the moment of their challenge to Spanish authority, the Flemish States continued to dutifully maintain the Army of Flanders and raise new tercios to bolster its precarious position.<sup>279</sup> To this was added the loss of cohesion and initiative on the part of the Protestant forces in Germany following the death of Gustavus Adolphus in November 1632 which bore its most bountiful fruit in the crushing victory of the Cardinal-Infante and his cousin Ferdinand of Hungary over the Swedes at Nordlingen in September 1634. The Cardinal-Infante's subsequent progress to Brussels at the head of several battle-tested tercios ensured that Flanders would be safely in Spanish hands for the remainder of

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<sup>278</sup> Israel, *The Dutch Republic*, pp.516-523.

<sup>279</sup> Taylor to Coke, 31 October 1632, TNA SP77/22 f.207. Gerbier to Coke, 24 June 1633, TNA SP77/23 f.204. The States in Brussels considered the provisions for defense not only in their best interests for security but also in order to negotiate with the Dutch from a position of strength: "that it is fitt they should putt the best face on their present condition, and rather offer the last penny to contribute to their owne defence then for want of show faille to compasse the truce."; Troop strengths in Flanders would continue to grow throughout the decade, and in the late 1630s would be nearly double the approximately 50 000 men commanded in Spinola's time. See: Parker, *Army of Flanders*, Appendix A.

the decade.<sup>280</sup> If Charles had anticipated these developments, then his prescience was rewarded by avoiding a rupture with Spain. However, it is more consistent with the general picture of Charles's interactions with foreign powers in the period to conclude that his reluctance to engage with the conspirators flowed principally from the same timidity and antipathy for commitment that characterized his other projects, such as the employment of his fleets and his negotiations with the Spanish and Austrian Habsburgs over the Palatinate.

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<sup>280</sup> Parker, *Army of Flanders*, p.219. For a more focused interpretation of the Cardinal-Infante's key importance in restoring Spanish strength in Europe and Flanders in particular see: Randall Lesaffer, "*Defensor Pacis Hispanicae*, de kardinaal-infant, de Zuidlijke Nederlanden en de Europese politiek van Spanje: van Nordlingen tot Breda (1634-1637), (Heule, 1994). For continued agitation against Spanish authority in the 1640s, though equally unsuccessful, see: Alicia Esteban Estringana, "Deslealtad prevenida, deslealtad contrariada. La obediencia de Flandes en la decada de 1640." Aranda Perez, Ed. *La Declinacion de la Monarquia Hispanica*, pp.69-84.

#### **Chapter 4: England, Spain, and the Palatinate, 1631-1635**

It is impossible to survey the landscape of Charles I's foreign policy without appreciating the central importance of the Palatinate in his strategizing and his chief priority in seeing it restored to first his brother-in-law and subsequently his nephew. The Palatinate had been overrun by Habsburg and Bavarian forces during the early 1620s following Prince Elector Frederick V's disastrous bid to replace future Emperor Ferdinand II as King of Bohemia. Because the territory had tremendous geographical and political importance in Central Europe, its subsequent deposition was an extremely contentious subject among the concerned powers of the Thirty Years War. The territories of the Prince Elector Palatines were divided into two: the Upper Palatinate on the northern border of Bavaria, and the Lower Palatinate which straddled the Rhine. Of these two, the Lower was by far the most economically and strategically vital. For the Spaniards, the presence of so strongly Protestant a prince on the Rhine continually threatened the integrity of the Spanish Road connecting Italy and Flanders. Not surprisingly, Philip III and his ministers would need little inducement to assist their Austrian cousins and Bavarian allies in occupying the territory in the early 1620s. The Palatinate also bore the distinction of holding one of the seven Electoral votes for choosing the Holy Roman Emperor. Catholic possession of the Imperial crown rested precariously on the narrow Catholic majority among the Empire's seven elector princes. While the Habsburgs themselves held the electoral vote for Bohemia, and the Prince-Archbishops of Köln, Mainz, and Trier would reliably vote for the Catholic, and

generally the Habsburg, candidate, the remaining three Electors of Saxony, Brandenburg, and the Palatinate were Protestants. As one of the premier Protestant territories, the Palatinate was at the forefront of the Protestant princes' efforts to guard their religious and political independence against the Catholic imperial court. This role was occupied by Frederick V, who inherited the Palatinate and leadership of the Protestant Union from his father in 1610. In 1618, with the revolt of the Bohemian estates against their Habsburg king, Frederick saw an opportunity to seize the Bohemian electoral vote for the Protestant cause and thus embarked on the ill-fated venture that would start the Thirty Years War.<sup>1</sup>

England was drawn into this German quarrel due to the fact that Frederick V had married James I's daughter, Elizabeth. With the fecund marriage, James I was obligated to be invested in the welfare and rights of his grandchildren. When James's death preceded resolution of the crisis, it fell to Charles to continue pressing for the rights and patrimony of his nephews. It comes as no exaggeration to say that Charles's quest for the Palatinate was the single primary objective of English foreign policy in the 1630s. The question of the aborted maritime treaty and the ship money fleets loomed large in Anglo-Spanish relations, and Charles's apparent readiness to either use the fleets to aid the Spaniards or to attack them served as the barometer of tensions between the two states. Charles's maritime policy was not based on mere whim, but was directly tied to his perception of Spain's disposition to restoring the Palatinate. The Anglo-Spanish peace of

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<sup>1</sup> Geoffrey Parker, *Thirty Years War*, pp.22-34. Brennan Pursell, *The Winter King*, pp.11-34. For the Prince-Electors Palatine and their efforts to organize Protestant states in Germany see: Claus Clasen, *The Palatinate in European History, 1558-1618*, (Oxford, 1966).



1630 had in large part been founded upon a *quid pro quo* agreement between Charles and Philip to align against the Dutch in exchange for Spanish pressure on the Emperor to restore both the Upper and Lower Palatinate to Frederick, Charles's brother-in-law, and lift the Imperial Ban from the family.<sup>2</sup> It was Spanish reluctance to pursue these goals that gradually pushed Charles into considering an alliance with France and consequently sent the Spaniards and states of Flanders into a panic over Charles's intentions for his significant naval assets during 1637-8.<sup>3</sup> It had been Charles's hope of obliging Spain to honor the 1630 promises regarding the Palatinate that drove Charles to consider the maritime treaty to begin with.

Gerbier's adventure with the Free Catholic States was based in large part in the independent importance of Flanders to English economic welfare, but the significance that an English Flanders would have for the Palatinate was never far behind the scenes. During his visit to England to consult with Charles and Secretary Coke on the matter, Gerbier did remind them that taking the Free Catholic States into English custodianship would give a good bargaining tool for effecting alterations in Germany.<sup>4</sup> Spanish hopes of enlisting Charles to intervene on their behalf early in the crisis were also predicated on promises regarding the Palatinate, such as when Scaglia proposed to Gerbier that Charles could oblige the Spaniards to surrender the Lower Palatinate if England were to negotiate

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<sup>2</sup> L. J. Reeve, *Charles I and the Road to the Personal Rule*, (New York, 1989), pp.247-255.

<sup>3</sup> Kevin Sharpe, *The Personal Rule*, pp.525-536. Gerbier to Coke, 21 February 1637, TNA SP77/27 ff.60-60v.

<sup>4</sup> Gerbier's Report placed in Secretary Coke's hands at Stanford, [May/June] 1633, TNA SP105/10 f.161v.

a truce with the Dutch.<sup>5</sup> The conspirators themselves, when proffering ideas for how Charles could get troops into Flanders to support their uprising without arousing suspicions, suggested that Charles could land forces in Holland with the declared purpose of recovering the Palatinate for his nephew. When his passage near the Flemish borders coincided with the proposed Free Catholic States revolution, he could potentially accomplish two ends at once.<sup>6</sup> Not afraid to play both sides of the issue, Charles had similarly sought to influence the States' peace negotiations from the Hague as well through his resident Hugh Boswell, whom he instructed to try to obligate the Dutch to include provisions for the Palatinate in any agreement they reached with Spain.<sup>7</sup>

Aside from these Anglo-Spanish concerns, Charles's relations with other European powers, principally France and Sweden, continually centered on the Palatinate. Richelieu, Gustavus Adolphus, and Oxenstierna all recognized the Palatinate as the best lever for dealing with Charles as they sought to enlist English support for their own war plans.<sup>8</sup> Clearly, the issue cannot be ignored in attempting any serious study of Charles's foreign policy. Despite this constant preoccupation with central Europe, England during the Personal Rule is not generally associated with any interests in German affairs or in the ongoing Thirty Years War. S. R. Gardiner famously dismissed the period's foreign entanglements as "futile diplomacy" and effectively saw the 1630

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<sup>5</sup> Relation of the Account given by Gerbier to Charles on Free Catholic States, [June/July] 1633, TNA SP77/23 f.515v.

<sup>6</sup> Ibid, TNA SP77/23 f.526v.

<sup>7</sup> Gardiner, *History of England*, Volume vii, p.212.

<sup>8</sup> Reeve, *Road to the Personal Rule*, pp.265-266, 275-276.

Anglo-Spanish peace and simultaneous failure of either Gustavus Adolphus or Richelieu to enlist Charles into an anti-Habsburg league as effectively ending England's role in the Continent.<sup>9</sup> Subsequent scholars have done little to disagree with Gardiner's assessment, and from this perspective L. J. Reeve concluded with grim finality that in 1632, after the breaking off of negotiations with the Swedes, Charles I "at home and abroad, had come to preside over an island kingdom."<sup>10</sup> Kevin Sharpe's study of the personal rule has made the most effort to look at Charles's foreign policy throughout the 1630s and in his sections on foreign policy, Sharpe notes the English preoccupation with the Palatinate and its persistent influence on Charles's foreign policy and relations with Spain.<sup>11</sup>

Far from abandoning his sister and nephews to fate, Charles continued to press for their rights in the manner that he, for reasons that were his own, thought best. As the following pages will demonstrate, Charles pursued the matter of the Palatinate with no less vigor in 1631-1639 than he did in 1625-1630, but his methods most certainly did change. The experience of the Anglo-Spanish War had convinced Charles that the Palatinate could not be regained through war, both because of the immense resources of the Spaniards and, as he perceived it, the refusal of Parliament adequately to fund English forces.<sup>12</sup> Falling back on his father's doctrine of *rex pacificus*, Charles spent the next decade hoping to gain the Palatinate by treaty, even as both his advisors and foreign

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<sup>9</sup> Gardiner, vii, pp.169-219.

<sup>10</sup> Reeve, *The Road to the Personal Rule*, p.290.

<sup>11</sup> Sharpe, *The Personal Rule*, pp.70-75, 509-536, 828-830.

<sup>12</sup> *Ibid*, pp.230-234.

observers urged more decisive action, either with Spain or against her, as the only way to recover the patrimony of Charles's nephews.

### **I. England and the Palatinate Crisis in the 1620s**

While most of the features of Charles's policy toward the Habsburgs had long-term origins, the interactions concerning the Palatinate were a relatively recent development between the two states and thus constitute more a particular crisis than a general point of contact and tension. This being the case, it will be illustrative to begin with an examination of the beginning of the Palatinate Crisis during the reign of Charles's father, and thus also how James's policies would exert an influence on those of his son. The Jacobean response to the Palatinate and the subsequent courses it mandated for interacting with the Spaniards would set the template for Charles's reign, first in reaction, then in imitation.

James I had devoted the greater part of his reign toward entertaining schemes for the promulgation of a general peace in Europe. Apart from seeking a peaceful realignment of European diplomacy based on an Anglo-Spanish entente, James also looked forward to the eventual reunion of the separated churches of the Catholic, Protestant, and Orthodox communions.<sup>13</sup> This "reunion of Christendom" was to be built on the foundation of the infamous "Spanish Match" between Charles, then Prince of

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<sup>13</sup> See: W. B. Patterson, *King James VI and I and the Reunion of Christendom*, (New York, 1997).

Wales, and the Infanta Maria Anna.<sup>14</sup> When news of the 1618 revolt of Bohemia reached London, James immediately reached out to Philip III to use the prospective alliance to calm the tensions of central Europe.<sup>15</sup> James himself dispatched James Hay, Earl of Doncaster, on an extraordinary embassy to the courts of Germany, including that of the Emperor Ferdinand II and James's son-in-law, the Prince-Elector of the Palatinate, Frederick V. Doncaster himself proved more bellicose than pacifying, and having found the Emperor ill-disposed toward showing leniency to his Bohemian rebels, the earl encouraged Frederick to render the rebels assistance. Doncaster further suggested that James also take up the cause.<sup>16</sup> When in 1619 the Bohemian States General elected Frederick to be their king, and when to James's chagrin Frederick accepted the offered crown, the Palatinate became securely wedded to English policy for the next two decades.<sup>17</sup> While James had disapproved of Frederick's acceptance of an usurped throne, he nevertheless was aghast at the violent overthrow of the "Winter King" at the Battle of White Mountain in the winter of 1620. The single battle obliterated Frederick's power base in Bohemia and the erstwhile king and his family fled as Imperial armies restored Ferdinand II's authority. Fearing for the welfare of his daughter and grandchildren,

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<sup>14</sup> Ibid, pp.314-318. Glyn Redworth, *The Prince and the Infanta: the Cultural Politics of the Spanish Match*, (New Haven, 2003), pp.7-18.

<sup>15</sup> Patterson, *Reunion of Christendom*, pp.296-299.

<sup>16</sup> Ibid, pp.300-303. Edward McCabe, "England's Foreign Policy in 1619: Lord Doncaster's Embassy to the Princes of Germany," *Mitteilungen des Instituts für Österreichische Geschichtsforschung*, 58, (1950), pp.457-477.

<sup>17</sup> Brendan Pursell, *The Winter King*, Chs.2-5. Zaller, "Interest of State," pp.145-147.

James began pursuing a harder line in his dealings with Spain and the Emperor.<sup>18</sup> Spain at this point did not see any impediment to offering assistance to their Austrian cousins, and Philip III and his principal minister Baltasar de Zúñiga loaned the Emperor Spanish troops from Italy and Flanders to not only help in the recovery of Bohemia but also to invade the Lower Palatinate in retribution of Frederick's crime.<sup>19</sup> Apart from family solidarity, the Lower Palatinate was of key strategic importance in maintaining the vital Spanish Road connecting Flanders and Milan.<sup>20</sup>

Jean-Baptiste Van Male, who would later be Balthasar Gerbier's bane during his tenure on the Brussels Council of Finances, was in the early 1620s the resident agent in London of the Infanta Isabel and her husband the Archduke Albert.<sup>21</sup> In the aftermath of the Battle of White Mountain, Van Male was clearly worried that James's obvious displeasure at Spanish complicity in Frederick's ousting from Bohemia and the Catholic League invasion of the Palatinate would incline the king's ear to the voices of "malintencionados" at court and in the 1621 Parliament.<sup>22</sup> James would be in conflict with the Parliament on this point, the king wanting only to secure the restoration of the

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<sup>18</sup> Ibid, 305-306.

<sup>19</sup> Elliott, *The Count-Duke*, pp.62-63.

<sup>20</sup> Parker, *Army of Flanders*, p.45. Zaller, "Interest of State," pp.151. For Spain's general warmongering in the Imperial court, see: Peter Brightwell, "The Spanish Origins of the Thirty Years War," *European Studies Review*, 19, (1979), pp.409-431.

<sup>21</sup> C. H. Carter, *The Secret Diplomacy of the Habsburgs*, pp.134-152.

<sup>22</sup> Van Male to Albert, 1 January 1621, HHSA PC 57 f.2. Zaller, "Interest of State," pp.148-151.

Palatinate while avoiding any rupture with Spain.<sup>23</sup> When James dispatched Albert Morton and Edward Villiers to the Palatinate bearing some 300,000 florins to assist the defense efforts there, the king assured Van Male that he had no intention of raising forces against Spain or Flanders.<sup>24</sup> James clearly stated his position on the matter: the Emperor's legitimate authority in Bohemia was unquestionable and the actions of Frederick in usurping it were indefensible. However, the Palatinate was the inviolable patrimony of Frederick and of James's grandchildren and so he was bound to pledge his life and blood toward its recovery.<sup>25</sup> Nevertheless, James still hoped the restitution could come by way of peaceful agreement rather than war and declared to Van Male that it was to that end he had dispatched Doncaster and continued his negotiations with Spain for the Spanish Match.<sup>26</sup>

In March 1621, James announced his intention to send John Digby to the Emperor to secure the peaceful restoration of Frederick to his territories and lifting of the Imperial Ban.<sup>27</sup> Digby himself had some doubts as to the success of his mission, seeing a major difficulty in the refusal of Frederick to cease his belligerent activities against the

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<sup>23</sup> Conrad Russell, *Parliaments and English Politics*, (New York, 1979), pp.124-126. Robert Zaller, *The Parliament of 1621*, (Berkeley, 1971), pp.6-36.

<sup>24</sup> Van Male to Albert, 8 January 1621, HHSA PC 57 f.15. Van Male to Albert, 22 January 1621, HHSA PC 57 f.36.

<sup>25</sup> Van Male to Albert, 12 February 1621, HHSA PC 57, f.68.

<sup>26</sup> *Ibid*, f.69.

<sup>27</sup> Van Male to Della Faille, 3 March 1621, HHSA PC 57 f.123. For more information on Frederick's incessant campaigning, which led to these disastrous effects on James's efforts at reconciliation see: Pursell, *The Winter King*, Chs.6-7.

Habsburgs and to allow James to arrange his rehabilitation.<sup>28</sup> Digby confided in Van Male before his departure that he was greatly frustrated with the Prince Palatine's willful arrogance and that James was trying to dissuade his son-in-law from further aggravation of the House of Austria.<sup>29</sup> Accordingly, Digby also was given commission to meet with Frederick and exhort him to submit completely to James's instructions, including a prohibition of his possible coming to England, which Frederick had earlier suggested to Edward Villiers.<sup>30</sup> Digby also bore letters for Archduke Albert and Ambrosio Spinola, the commander of the Army of Flanders, from James which made the first of many requests for a suspension of arms in the Palatinate to stall the campaign of conquest while negotiations proceeded with the Emperor.<sup>31</sup> The Spanish side was hopeful for Digby's mission and the Archdukes' secretary Charles Della Faille informed Van Male that the baron was well-regarded in Habsburg circles and known for his good will toward Spain and his central role in promoting the Spanish Match. Nevertheless, Della Faille said there was no interest in Brussels in recalling the Army of Flanders from the Palatinate and that the English resident William Trumbull's efforts to that end had so far been in vain.<sup>32</sup>

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<sup>28</sup> This was a consistent feature of the relations of Frederick V with both James and Charles, and would prove extremely counterproductive to their mediation efforts as well as guaranteeing the squandering of the material aid sent from England: Elmar Weiss, *Die Unterstutzung Friedrichs V von der Pfalz durch Jakob I. und Karl I. von England in Dreissigjahrigen Krieg (1618-1632)*. (Stuttgart, 1966).

<sup>29</sup> Van Male to Albert, 5 March 1621, HNSA PC 57 f.125.

<sup>30</sup> Van Male to Albert, 12 March 1621, HNSA PC 57 f.141.

<sup>31</sup> *Ibid*, 142.

<sup>32</sup> Della Faille to Van Male, 7 April 1621, HNSA PC 57 ff.192-192v.



Concerned about affairs in England, Van Male urged Albert to consider honoring James's request and interceding with the Emperor and King of Spain. While he expected a final resolution of the question to come from Digby's talks with the Emperor, he said a temporary truce in the Palatinate would at least cool many of the hawkish heads in England where the Parliament was continually agitating for war with Spain. Van Male's caution was due in large part to his perception of the weakness of the English crown in the face of Parliamentary opposition and while he remained convinced of James's genuine antipathy for war, he doubted the king's ability to resist the wishes of his subjects.<sup>33</sup> Albert evidently shared Van Male's concerns and in early May wrote to the newly enthroned Philip IV, asking him to take care in his dealings with England and to consider granting James's request for a cessation of hostilities in the Palatinate.<sup>34</sup> Meanwhile James was being implored by Parliament to consider a common military effort with the King of Denmark against the Emperor, but declared that he would not countenance any armed activity until hearing the results of Digby's mission.<sup>35</sup> Even before Digby's departure in June, Brussels was eager to show its favor for the proceedings and Archduke Albert took it on himself to give the order for the Army of Flanders to halt its advance in the Palatinate.<sup>36</sup>

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<sup>33</sup> Van Male to Albert, 30 April 1621, HHSA PC 57 f.213v.

<sup>34</sup> Lonchay, ii, Albert to Philip, 4 May 1621, p.10. Archduke Albert and the Infanta Isabella both in many ways mirrored James's desire to build a consensus-based peace in Europe, and the Brussels court would take the lead in many peacemaking efforts during the 1620s: Charles Giry-Deloisin, "L'Angleterre et les Pays-Bas espagnols, 1600-1630," *Revue du Nord*, 40, (2008), pp.671-681.

<sup>35</sup> Van Male to Albert, 14 May 1621, HHSA PC 57 ff.233v-234.

<sup>36</sup> Della Faille to Van Male, 28 May 1621, HHSA PC 57 f.249.

In London, few believed this suspension of arms would last long, and Digby immediately departed toward Vienna to make the most of the lull in hostilities.<sup>37</sup> Adding to English apprehensions were reports that the Imperial Diet was convening at Ratisbon and that on the agenda was the transfer of the Palatinate to the Duke of Bavaria, whose armies were already occupying the Upper Palatinate and were then entering the Lower. Before departure Digby asked Van Male to ask Albert to try to stop or delay these proceedings and took with him letters from James to Albert and the Emperor with the same request.<sup>38</sup> Van Male reported with growing alarm through the succeeding weeks that many in England believed Digby would come too late to prevent the reassignment and that while James retained his pacific stance, scores of Englishmen were stealing away each day to volunteer in Dutch regiments.<sup>39</sup> As all waited for news from Germany, the prognosis did not appear good. Della Faille sent Van Male a copy of a letter from Vienna which said the Emperor and his ministers were not disposed toward considering any forgiveness and restitution of the Prince Palatine, causing Della Faille to remark that Digby would face an unenviable task.<sup>40</sup> True to expectations, the suspension of arms did not last, being broken by the unabated maneuvers of Frederick and his mercenary general

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<sup>37</sup> Van Male to Della Faille, 4 June 1621, HHSA PC 57 f.262. Van Male to Albert, 5 June 1621, HHSA PC 57 f.264.

<sup>38</sup> Van Male to Albert, 5 June 1621, HHSA PC 57 f.264v.

<sup>39</sup> Van Male to Albert, 11 June 1621, HHSA PC 57 f.268. Van Male to Albert, 18 June 1621, HHSA PC 57 ff.281-282.

<sup>40</sup> Della Faille to Van Male, 19 August 1621, HHSA PC 57 f.333.

Ernst von Mansfeld, who refused to recognize the ceasefire.<sup>41</sup> Van Male, always suspicious, wrote to Philip suggesting to the king that Digby's mission was perhaps less than genuine. In light of the Prince Palatine's and Mansfeld's violation of the ceasefire, Van Male considered that James's negotiations could be read as a mere front to delay the actions of the Habsburg armies while the English and Danish forces prepared themselves.<sup>42</sup>

Late August saw the long-anticipated arrival of news from Digby, and the cool reception of the news by the English court boded ill.<sup>43</sup> Soon the details were publicly known and it was revealed that the Emperor had dismissed any restoration of the Palatinate on the grounds that Frederick had demonstrated no intention of making submission or accepting censure for his usurpation of Bohemia and was in fact continuing to bear arms against the House of Austria.<sup>44</sup> The Emperor was unwilling to recognize any suspension of arms while Mansfeld and the Prince Palatine still commanded armies in the field. Van Male reported that Secretary Calvert had confirmed that Digby's letters stated the Emperor was unyielding on the matter of the Palatinate, causing many in the Privy Council to despair that the Palatinate would be restored by any

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<sup>41</sup> Count Ernst von Mansfeld enjoyed a colorful career and played an integral role in the opening phase of the Thirty Years War. He served as a commander first in the armies of the Bohemian rebels, then as Frederick V's commander in the doomed defense of the Palatinate against Habsburg and Bavarian invasion. In 1622-1623 he served in the army of Christian of Brunswick, and later found employ with James I who gave him command of the ill-fated expedition of January 1625. See: Walter Krüssman, *Ernst von Mansfeld (1580-1626), Grafensohn, Söldnerführer, Kriegsunternehmer gegen Habsburg im Dreißigjährigen Krieg*, (Berlin, 2010). Gardiner, *History of England*, v, pp.271-290.

<sup>42</sup> Van Male to Philip, 21 August 1621, HHSA PC 57 f.345.

<sup>43</sup> Van Male to Infanta, 26 August 1621, HHSA PC 57 f.355v.

<sup>44</sup> Sterrell to Della Faille, 3 September 1621, HHSA PC 57 f.365.

means but force of arms.<sup>45</sup> When Bavarian troops began their assault on the cities of the Lower Palatinate with the full knowledge and authorization of the Emperor, Digby perceived that his business in Germany was done.<sup>46</sup> Being told also that the Emperor would not treat on the matter further without consulting the King of Spain, Digby made plans to take his negotiations next toward Madrid, but with little hope of success since Frederick had shown himself unwilling to play the penitent.<sup>47</sup>

The Infanta Isabella, assuming the governorship of the Spanish Netherlands after its reversion from sovereignty following the death of Archduke Albert, continued her husband's conciliatory policies and urged her nephew Philip IV to declare a suspension of arms in Germany, despite the failure of the one agreed to by Albert.<sup>48</sup> Even if he would not consent to this, she asked that orders be given to Gonzalo de Cordoba to refrain from further advances into the Palatinate to avoid antagonizing the English volunteers who had pledged to defend the remaining cities in the Lower Palatinate, especially Heidelberg and Frankenthal.<sup>49</sup> Madrid would be slow to respond to these entreaties, while events in Germany continued to move at their own pace. Digby had passed through the Palatinate on his return from Vienna and reported to London that the country was in ruins and would imminently be entirely lost to the Habsburgs.<sup>50</sup> By the end of October, the English

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<sup>45</sup> Van Male to Della Faille, 4 September 1621, HHSA PC 57 f.370v.

<sup>46</sup> Patterson, *Reunion of Christendom*, p.308.

<sup>47</sup> Van Male to Infanta, 18 September 1621, HHSA PC 57 f.388v.

<sup>48</sup> Lonchay, ii, Infanta to Philip, 24 September 1621, p.37.

<sup>49</sup> Lonchay, ii, Infanta to Philip, 8 October 1621, p.39.

<sup>50</sup> Van Male to Della Faille, 22 October 1621, HHSA PC 57 f.428.

resident in Brussels William Trumbull sent word that no matter his efforts, nor those of the Infanta who had again asked her nephew to concede the suspension of arms, nothing could be done to prevent the Duke of Bavaria and Gonzalo de Cordoba from conquering the entire Lower Palatinate.<sup>51</sup>

Eager to avoid war, especially as the 1621 Parliament's unruliness drew it nearer to eventual dissolution, James in November sent order to Walter Aston, his ambassador in Madrid, to propose a solution to the King of Spain. James offered to ensure that Frederick would immediately cease all hostilities against the House of Habsburg and would abjure all claim of himself and his descendants to the throne of Bohemia in exchange for pardon and restitution from the Emperor. James asked that Philip agree to support this measure by withdrawing all financial and military assistance from the Emperor if he should refuse Frederick's submission.<sup>52</sup> This proposal set in motion the next attempt at a peaceful settlement, which would see English, Spanish, and Imperial negotiators meet in Brussels during the autumn of 1622.<sup>53</sup> In January 1622, Digby sent word to James that the Emperor had remitted the matter to the Infanta, authorizing her to oversee negotiations for the Palatine's submission and restitution. James was delighted at this news and prepared to send an extraordinary ambassador to advance the treaty with

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<sup>51</sup> Van Male to Infanta, 31 October 1621, HHSA PC 57 f.438. Lonchay, ii, Infanta to Philip, 28 October 1621, p.45.

<sup>52</sup> Van Male to Infanta, 24 November 1621, HHSA PC 57 f.480.

<sup>53</sup> Patterson, *Reunion of Christendom*, pp.311-313.

the Infanta.<sup>54</sup> The Emperor had agreed to appoint ministers to treat on the matter to meet with James's representatives in Frankfurt or in any other city of James's choosing. The Infanta took a proactive role by also sending Pecquius, the Chancellor of Brabant, to London in capacity of extraordinary ambassador to facilitate the negotiations and invite James to send a representative to treat with the Imperial and Spanish ministers in Brussels.<sup>55</sup> James would eventually choose to send Richard Weston to take part in the proceedings. The Infanta had reason for high hopes, having been assured in a letter from the Emperor that he was ready to grant the suspension of arms and consider a Palatinate restitution if he could be offered adequate securities by James and a submission from Frederick.<sup>56</sup>

Nevertheless, in London Van Male remained extremely suspicious of the English even as James made preparations for meeting with the Imperial delegates. Throughout these preparations James's government continued raising money with the stated purpose of alleviating the wartime sufferings of the people of the Palatinate. In Van Male's estimation this money was truly destined to enable further war against the House of Austria by the army of Frederick and Mansfeld "with whom this king must have secret intelligence, and it will be well to keep a close eye on [England] due to the little security one can have in this king's promises and actions."<sup>57</sup> Van Male's hostility and suspicion

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<sup>54</sup> Van Male to Infanta, 21 January 1622, HHSA PC 58 f.40.

<sup>55</sup> Van Male to Infanta, 4 February 1622, HHSA PC 58 f.68. Lonchay, ii, Infanta to Philip, 5 February 1622, p.61. Van Male to Infanta, 14 February 1622, HHSA PC58 f.73.

<sup>56</sup> Lonchay, ii, Infanta to Philip, 20 February 1622, p.63.

<sup>57</sup> Van Male to Philip, 4 February 1622, f.65.

had colored his whole account of the affair from the first aborted suspension of arms onwards, and even as the Infanta had continuously endorsed another suspension of arms, Van Male's letters to Philip always dismissed the measure as being only a delaying tactic to benefit the Habsburgs' enemies.<sup>58</sup> While Van Male's pessimism stemmed from his inability to trust the English, his skepticism of the negotiations was shared by many in the English court. Before departing for his mission to Madrid in March 1622, Digby told Van Male that while he hoped his mission and that of the king's ambassador in Brussels would bring a successful resolution to the matter, he feared the unabated depredations of Mansfeld would make any settlement impossible.<sup>59</sup> When the Prince Palatine departed from the Hague in secret to join Mansfeld and Horace Vere in their defense of the remaining towns of the Palatinate, Weston immediately sought out Van Male to stress that neither he nor James had any foreknowledge of this plan and wholeheartedly denounced it.

Frederick V's incessant warring would undermine James's efforts on his behalf and give the Habsburgs' little reason to trust in James's assurances for a brokered peace. When Weston departed as James's extraordinary ambassador to meet with the Spanish and Imperial delegates at Brussels, he and Arthur Chichester, who was sent to still-unconquered Heidelberg, were given instructions to pass word to Frederick by any

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<sup>58</sup> Van Male to Philip, 21 August 1621, HHSA PC 57 f.345. Van Male to Della Faille, 4 September 1621, HHSA PC 57 f.370v.

<sup>59</sup> Van Male to Infanta, 25 March 1622, HHSA PC 58 f.130.

channels they found to immediately stop fighting and submit to James's counsel.<sup>60</sup> James's exasperation was clear and Van Male reported with some satisfaction that some English ministers had told him James was ready to propose a form of the suspension of arms that would oblige him to renounce any further support to Mansfeld if the ceasefire was broken again.<sup>61</sup> The talks began in June under the shadow of these concerns, and James received disheartening letters from Mansfeld and Frederick, who both declared that they would not agree to any suspension of arms without including their allies among the Protestant princes of Germany in the negotiations. At the same time, Mansfeld refused to send any commissioners to Brussels to participate in the conference.<sup>62</sup>

To the troubles arising from Frederick's quarrelsome nature was added the Emperor's antagonistic behavior. The Infanta wrote to Philip in early July after hearing news from Germany that the Imperial Diet was nearing a decision to finally transfer the Palatinate's electoral vote to the Duke of Bavaria. She was alarmed at the prospects this would bear for the negotiations underway in Brussels and asked her nephew to intercede with the Emperor if he could.<sup>63</sup> As the transfer continued to be discussed in the Diet, tempers rose in England when Chichester wrote from the Palatinate that the Imperial army under Tilly and the attached Spanish forces under Gonzalo de Cordoba had recommenced their attacks on the remaining cities of the Palatinate: Heidelberg,

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<sup>60</sup> Van Male to Infanta, 29 April 1622, HNSA PC 58 f.238.

<sup>61</sup> *Ibid.*, f.238v.

<sup>62</sup> Van Male to Infanta, 17 June 1622, HNSA PC 58 f.315.

<sup>63</sup> Lonchay, ii, Infanta to Philip, 4 July 1622, p.87.



Frankenthal, and Mannheim.<sup>64</sup> The sieges progressed during the summer of 1622 as the talks in Brussels began to peter out. Nearing the end of his patience as Heidelberg's defense dwindled, James protested furiously against Tilly's siege, "declaring that if [Tilly] did not lift the siege of Heidelberg, he would declare war on the Emperor." Van Male tried to suggest an alternate solution by which the three Palatinate cities would be placed in the Infanta's custody, kept safe from both Emperor and Prince Palatine, but James would not consider such an arrangement at that point.<sup>65</sup>

The fall of Heidelberg on 19 September made mockery of James's peace strategy and the streets of London were immediately full of demands for war against Spain and the Emperor. Still hoping for a negotiated settlement and the intercession of his prospective Spanish ally, James dispatched Endymion Porter to Spain asking that Philip use all influence he had to move the Emperor to restore the Palatinate and if necessary join with James in obliging him by force.<sup>66</sup> Additionally, Digby, still present in Spain to promote the simultaneous negotiations for the Spanish Match, continuously bid Philip to take a stronger hand in Germany. Since many of the Imperial forces under Tilly were in fact Spanish troops of the Army of Flanders, Digby proposed that Philip reassume direct control of these forces, recall them to Flanders, and oblige the diminished Imperials to withdraw.<sup>67</sup> By this time, Philip was growing increasingly concerned about the

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<sup>64</sup> Van Male to Infanta, 15 July 1622, HHSA PC 58 f.376.

<sup>65</sup> Van Male to Infanta, 16 September 1622, HHSA PC 58 ff.465-465v.

<sup>66</sup> Van Male to Infanta, 21 October 1622, HHSA PC 58 ff.510-510v.

<sup>67</sup> Patterson, *Reunion of Christendom*, pp.320-321.

likelihood of war with England, no doubt in part due to the reports of popular rage he regularly received from Van Male, who was also the de facto Spanish ambassador in London after Gondomar's departure in May 1622. Wishing to exonerate himself he sent the Infanta copies of letters he had written to Carlos Coloma, then the Spanish minister at the Imperial court, with instructions to show them to James as proof that he had done his best to promote the suspension of arms.<sup>68</sup> Following up on this a few days later, Philip wrote a second letter instructing the Infanta to do all she could to keep James pacified and to write letters to Tilly and the other commanders to cease their aggressive actions.<sup>69</sup> Mannheim's fall in November served as a rude awakening to Philip that the Emperor had no intention of halting his conquest of the Palatinate. Shocked at the brazen lack of concern at antagonizing England, Philip asked the Infanta to join him in another round of letters to the Emperor and the Imperial commanders, but these would be similarly fruitless.<sup>70</sup>

Frankenthal, the last unoccupied post in the Palatinate thus became the focus of attention, and James again turned down an offer from the Infanta to take the city into her personal custody to protect it from Imperial conquest.<sup>71</sup> The Imperial Diet finally completed the formal transfer of the Palatine electorate to the Duke of Bavaria in early 1623, thus entirely disinheriting James's grandchildren. When word of the transfer

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<sup>68</sup> Lonchay, ii, Philip to Infanta, 24 October 1622, p.104.

<sup>69</sup> Lonchay, ii, Philip to Infanta, 29 October 1622, p.105.

<sup>70</sup> Lonchay, ii, Philip to Infanta, 8 December 1622, p.112.

<sup>71</sup> Van Male to Infanta, 17 December 1622, HHSA PC 58 f.562v.

reached London, Van Male declared that the English had closed the negotiations on the suspension of arms and the siege of Frankenthal, and now spoke only of war against the Emperor.<sup>72</sup> Frankenthal would eventually be placed, by mutual consent, in the Infanta's custody in April 1623 for a period of 18 months after which time it was to be surrendered to an English garrison or to a restored Prince Palatine.<sup>73</sup> The intent was to facilitate negotiations by ending the fighting in Germany without necessarily granting a suspension of arms, and also to keep Frankenthal outside the grasp of the Duke of Bavaria who increasingly regarded both the Upper and Lower Palatinate as his own. No settlement was to be produced, nor was an English garrison ready to take control of the city in 18 months as by then England and Spain were at war. As a result, the status of Frankenthal would become a major issue of the early phases of Charles I's Palatinate policy.

The unwillingness of Frederick to cooperate with the efforts being made on his behalf, together with the evident disinterest of the Emperor in extending mercy to the Palatine family doomed these attempts at negotiation to failure, and England to a rupture with the Habsburgs. James had shown himself ready to take war to the Emperor but reluctant to extend the feud to include severing ties with Spain, and the disagreement between James and his subjects on this latter issue was the cause of the dissolution of the 1621 Parliament. Given the failure of the negotiations conducted by Digby and Weston with the Emperor and the unwillingness of Parliament to fund a campaign against the Imperial forces in Germany apart from a general war against Spain, James was forced to

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<sup>72</sup> Van Male to Infanta, 18 March 1623, HHSA PC 59 ff.104-104v.

<sup>73</sup> Lonchay, ii, Infanta to Philip, 11 May 1623, pp.123-124.

rely on the Spanish Match as the last hope for a peaceful restitution of the Palatinate.<sup>74</sup> Thus Charles and Buckingham's surprise journey to Madrid in early 1623 came as a last desperate effort to solve the crisis. There they were confronted with the fact that the Spaniards refused to include a restitution of the Palatinate in the marriage treaty and insisted on treating the two matters as separate negotiations.<sup>75</sup> Olivares, taking advantage of the unusual opportunity accorded by Charles's presence in the belly of the Spanish beast, and sensing the singular importance the English attached to the Palatine issue, attempted to exploit the situation to procure additional promises from Charles regarding toleration of English Catholics and Charles's own eventual conversion to Catholicism. Olivares nevertheless was careful to never offer the English anything more concrete than vague promises of Spanish intercession which were dependent upon English domestic religious policy.<sup>76</sup>

These religious demands, combined with the Spaniards' clear unwillingness to stick their necks out too far for the Palatinate, confounded the marriage and when Charles and Buckingham returned to England in early 1624, they promptly abjured the embarrassing promises they had been obliged to make in Spain, and led the country into the "blessed revolution" that would eventually result in the Anglo-Spanish War of 1625-

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<sup>74</sup> Thomas Cogswell, *The Blessed Revolution*, (New York, 1989), pp.17-20.

<sup>75</sup> *Ibid*, pp.60-61.

<sup>76</sup> Elliott, *Count-Duke of Olivares*, pp.210-213.

30.<sup>77</sup> James's peace strategy had come to a dismal failure and Prince Charles's and Buckingham's zeal for war would determine policy during James's final year on the throne. The Spaniards, while not surprised to be caught up in the English anti-Habsburg fury, were nonetheless convinced that England expected too much of them. When informed that James had determined to break with Spain, Philip wrote to the Infanta in Brussels:

According to what the Marquis of Inojosa has written me these days concerning the affairs of England, it seems that king intends to declare war on me. The principal grounds are the Palatinate, but (as your Highness knows well) I have done all possible in order that the Emperor would take a good humor to the matter. Yet I see what little regard has been taken by those in England and that there they prepare themselves and speak of the rupture as a done deed<sup>78</sup>

While the Spaniards possessed immense diplomatic and political influence in Vienna, the Emperor was nonetheless an independent power on his own and the Spanish would accordingly insist throughout the following decade that no matter how much they might desire it, they could not overcome the intransigence of the Emperor. The events of the 1620s, the failure of the Spanish Match, and the outbreak of the Anglo-Spanish War were hardly desired outcomes for Philip and Olivares, and seem to prove that there was some truth in the excuse. After the war, however, the situation was greatly altered and Spain was given a vested interest in stalling any progress in the project of restitution, as the Palatinate became an integral component in Olivares's general policy to procure an Anglo-Spanish alliance against the Dutch.

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<sup>77</sup> Cogswell, pp.77-134. Patterson, *Reunion of Christendom*, pp.335-338. Brennan Pursell, "The End of the Spanish Match," *Historical Journal* Vol. 45, (2002), pp.699-726. Redworth, *The Prince and the Infanta*, pp.136-137.

<sup>78</sup> Philip to Infanta, 16 April 1624, AGR SEG 190 f.127.

## II. The Peace of Madrid and the Promises of 1631

The Anglo-Spanish War of 1625-30 was notoriously unsuccessful for England, marked by disastrous episodes like the attack on Cadiz and the botched siege of the Ile de Ré.<sup>79</sup> Charles quickly became frustrated at Parliament's disagreements with his preferred war strategy and by 1626 he was sending out feelers, in part via Balthasar Gerbier's contacts with Peter Paul Rubens, to the Spaniards for a peace.<sup>80</sup> Since the war had been in large part justified as a defense of the claims of the Palatine family, Charles in 1627 was still adamant in his dealings with the Spaniards that any treaty must necessarily include provisions for the restoration of the Palatinate.<sup>81</sup> Olivares, on the other hand, was determined that any treaty exclude any final resolution of the Palatinate crisis and instead was hopeful of gaining English support against the Dutch.<sup>82</sup> Charles had dispatched Cottington to Madrid in late 1629 with the intention to achieve peace at all costs, although not without first doing all in his power to include the Palatinate in the deal.<sup>83</sup>

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<sup>79</sup> See: Richard Stewart, "Arms and expeditions: the Ordnance Office and the assaults on Cadiz (1625) and the Isle of Rhé (1627)," in Mark Fissel, Ed., *War and Government in Britain, 1598-1650*, pp.112-132. For Charles's domestic troubles see: Richard Cust, *The Forced Loan and English Politics, 1626-1628*, (Oxford, 1987). John Guy, "The Origins of the Petition of Right Reconsidered," *Historical Journal*, 25, (1982), pp.289-312. Mark Kishlansky, "Tyranny Denied: Charles I, Attorney General Heath, and the Five Knights' Case," *Historical Journal*, 42, (1999), pp.53-83. Russell, *Parliaments and English Politics*, pp.260-416.

<sup>80</sup> Reeve, *Road to the Personal Rule*, pp.230-234. A. J. Loomie, "Olivares, the English Catholics, and the Peace of 1630," *Revue belge de Philologie et d'Histoire* 47, (1969), pp.1154-1158.

<sup>81</sup> Elliott, *The Count-Duke of Olivares*, pp.331-332.

<sup>82</sup> Reeve, *Road to the Personal Rule*, pp.238-241.

<sup>83</sup> *Ibid.*, pp.247-250.

Writing to Cottington from London, Gerbier passed on that Rubens had already made it clear that Spain would be unyielding on the point of the Palatinate. The basis of this was the Spanish insistence that the Palatinate was not a matter in the jurisdiction of the King of Spain, but rather of the Emperor and the Imperial Diet. When questioned as to how such declarations squared with the noted participation of elements of the Army of Flanders in the conquest and occupation of the Lower Palatinate towns, Rubens said that the Spanish *tercios* had participated in the invasion as Imperial forces, not under the authority of the King of Spain. Likewise, the present occupation of the Lower Palatinate, including Frankenthal, was on behalf of the Emperor, not in Philip's name.<sup>84</sup> Charles's urgent need for peace in the face of domestic opposition would allow these legal distinctions to be recognized.

Madrid had dispatched Don Carlos Coloma in late 1629 to reciprocate Cottington's mission to Spain.<sup>85</sup> Cottington's first meetings with Olivares had left no illusions that Spain would include the Palatinate in any peace treaty and this refusal was common knowledge throughout the English court by February 1630.<sup>86</sup> In London, Charles's response was to insist with Coloma that he would not consent to any treaty excluding Frederick's restoration. Charles pointed to the Spanish demands for his intervention against the Dutch, saying that moving against such an old ally would entail a

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<sup>84</sup> Gerbier to Cottington, 17 February 1630, TNA SP77/19 ff.329-330.

<sup>85</sup> Loomie, "Olivares, the English Catholics, and the Peace of 1630," p.1158. Reeve, *The Road to the Personal Rule*, p.248.

<sup>86</sup> Letter from X, 29 February 1630, HHSA PC 63 f.538v.

great loss of reputation for him, which only the restoration of the Palatinate could vindicate.<sup>87</sup> This position was also taken by Cottington, who submitted a paper to Philip requesting that Spain send representatives to Ratisbon to press for the Palatine restoration in exchange for Charles intervening with the Dutch.<sup>88</sup> Madrid was unimpressed and Olivares was extremely confident that the King of England's need for peace was great enough that they could afford to be intractable. By August, Cottington was beginning to wear down and Olivares told the Council of State that he intended to insist that the treaty require Charles to renounce his league with the Dutch and recall the English regiments in Dutch service. For the Spaniards, the greatest asset they possessed was the occupation of the Lower Palatinate which they believed made England dependent upon Spain's good will.<sup>89</sup> Olivares also made clear that he expected more from Charles than mere mediation with the Dutch. Already beginning to bend, Cottington had been willing to suggest that a failed mediation would oblige Charles to join Spain militarily against the Dutch. This foreshadowed the "secret treaty" that Cottington and Olivares would sign in January 1631. In a further shadow of things to come, Olivares refused Cottington's request to send Spanish ambassadors to Ratisbon while the treaty was still unresolved for fear of giving suspicions to the Duke of Bavaria.<sup>90</sup>

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<sup>87</sup> Council of State regarding March correspondence from Carlos Coloma, 22 April 1630, AGS E 2519, 81 [unfoliated].

<sup>88</sup> Paper of Cottington to Philip, [Summer] 1630, AGS E 2519, 80 [unfoliated].

<sup>89</sup> Council of State, 3 August 1630, AGS E 2519, 101 [unfoliated].

<sup>90</sup> Voto of Olivares on negotiations with Cottington, [Summer] 1630, AGS E 2519, 78 [unfoliated].



Faced with the refusal of the Spaniards to include the Palatinate's restitution in the peace treaty, Charles acquiesced and permitted Cottington to go ahead with signing the Peace of Madrid in November 1630.<sup>91</sup> The resulting agreement abandoned an immediate restitution of the Palatinate in favor of promises for future Spanish intercession with the Emperor to restore the Prince Palatine Frederick V and his family to their lands and titles. These promised efforts were themselves made conditional on Charles's fulfillment of treaty obligations to mediate a Hispano-Dutch peace.<sup>92</sup> In the event the mediation was unsuccessful, the peace was paralleled by the infamous "Cottington secret treaty" which was signed shortly after but apart from the articles of peace on 2 January 1631. Drafted by Cottington and Olivares, the secret treaty outlined a proposed joint Anglo-Spanish war against the Dutch Republic and the subsequent division of the northern Dutch provinces between Spain and England.<sup>93</sup> The treaty would thus cement two principal features of Anglo-Spanish diplomacy over the ensuing decade. First, it underlined Olivares's aspirations to co-opt England into an alliance with the Spanish and Austrian Habsburgs in order to bring about a successful conclusion to the wars in Germany and Flanders. Olivares's hopes that the Cottington agreement would immediately take effect would not be realized, however, and the result would be further proposals such as the 1634 maritime treaty discussed in Chapter 1, as well as ultimately the comprehensive treaty proposed in 1640. Secondly, the treaty represented Charles's

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<sup>91</sup> Reeve, *The Road to the Personal Rule*, pp.243-244.

<sup>92</sup> *Ibid*, pp.247-258.

<sup>93</sup> *Ibid*, pp.256-257. Havran, *Caroline Courtier*, pp.97-102.

chastening after five years of bellicosity. Charles had broken with his father's peaceful policy upon his return from Spain in 1624, leading England into a war that quickly went awry. Faced with battlefield embarrassments and mounting domestic opposition to his war policies, Charles evidently found James's *rex pacificus* vindicated. As a result, throughout the 1630s Charles would never willingly commit to any military enterprise, no matter how much it might have been in his interest to do so, and no matter how much he might bluster about doing otherwise.

Charles's neighbors, all enemies of Spain, were unsurprisingly perturbed at England's peace negotiations with Madrid. Eager to dissuade Charles from making his peace with Philip, Cardinal Richelieu had offered him promises of an alliance against Spain to restore the Palatinate, but Charles rebuffed these efforts, resolving to place his confidence fully in the good will of the Spaniards.<sup>94</sup> The Dutch, angered at England's signing of a separate peace, anticipating the French alliance of 1634, and wishing to take advantage of the domestic disorders in the Spanish Netherlands, refused to allow Charles to mediate any peace between them and Spain. Without any progress from the English side, Olivares was left to proceed through the 1630s feeling little obligation to press the Emperor to satisfy Charles's demands.<sup>95</sup> Those who supported the fortunes of the Palatine family were revolted by Charles's decision to come to terms with Spain. A further source of disgrace was the fact that in 1630, Charles had promised his brother-in-law that under no circumstances would he sign a peace that did not restore the family to

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<sup>94</sup> Reeve, *The Road to the Personal Rule*, pp.265-266.

<sup>95</sup> Sharpe, *The Personal Rule*, p.71.

their estates in Germany.<sup>96</sup> Elizabeth of the Palatinate, Charles's sister, writing from her exile in the Hague had little faith in any agreement with Spain. "I am still incredulous that they will do anything," she wrote to the Earl of Carlisle in March 1630, "except it be upon dishonourable conditions; but I am confident that the King, my dear brother, will not suffer such things to be spoken on."<sup>97</sup> When, to her disappointment, Charles made peace without securing the Palatinate she gently chastised him in 1631, warning "we may be in despair of ever recovering anything; for by treaty it will never be done, as you may easily see by the delays they have already made; and let yourself not be deceived."<sup>98</sup>

Arthur Hopton, who had accompanied Cottington to Spain in 1629, remained in Madrid after Cottington returned to England to serve as Charles's resident agent and keep up pressure on Olivares to make his good offices with the Emperor. In the months following Cottington's departure, Hopton retained an optimistic outlook on the situation in Germany and on Spain's willingness to press for England's interests there. Speaking of the military situation facing the Habsburgs in 1631, as the French challenge in the Mantuan crisis subsided and Swedish movements became a greater concern, Hopton declared:

I conceive the assistance from hence can neither bee soe sure nor of soe great importance as can encourage the Emperor to give his Majestie an ill answeare in his business with him, especially at this time when by provoking him hee shall doe this crowne as ill an office as hee shall doe the Duke of Bavaria a good one, for I conceive his Majesties friendship is soe much desired, and is soe necessary

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<sup>96</sup> Ibid, p.250.

<sup>97</sup> Elizabeth to Carlisle, 8 March 1630, L. M. Baker Ed., *The Letters of Elizabeth, Queen of Bohemia*, (London, 1953), p.81.

<sup>98</sup> Elizabeth to Charles, 17 October 1630, Baker Ed., *The Letters of Elizabeth*, p.82.

for this crowne and is soe oppost to the Duke of Bavarias designes as the question in the Emperors counsell will bee to which of those two hee shall adhere<sup>99</sup>

Hopton here identified what would be continually problematic in these negotiations: Spain's insistence that the final decision concerning the Palatinate rested solely with the Emperor, and the delicate balance that Spain and the Emperor had to maintain in their common relations with England and Bavaria, whose interests in this matter were mutually exclusive. While the leader of the German Catholic League, Duke Maximilian of Bavaria was no client of the Habsburgs and his zeal in prosecuting the war against Frederick V had been in large part to provide for the further aggrandizement of his house. Having already been conceded the Upper Palatinate and the electoral dignity, Maximilian could never approve any Anglo-Habsburg plan for restitution.<sup>100</sup> Indeed, Maximilian was already involved in secret negotiations with Richelieu for a potential Franco-Bavarian alignment, designs which only faltered because of Richelieu's unwillingness to recognize in perpetuity Bavarian claims to the Upper Palatinate and electoral dignity which the Cardinal knew would immediately alienate England from any anti-Habsburg alliance.<sup>101</sup> Olivares had long determined Bavaria an unreliable ally, but at the same time saw nothing to be gained in needlessly provoking Maximilian's animosity by acceding to Charles's wishes concerning the Palatinate. For Spain, only significant concessions wrought from England in the form of the English mediated peace with Holland or the

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<sup>99</sup> Hopton to Dorchester, 15 June 1631, TNA SP94/35 ff.244v-245.

<sup>100</sup> Parker, *The Thirty Years War*, pp.59-60.

<sup>101</sup> Parker, *The Thirty Years War*, pp.106-108.

implementation of the Cottington treaty's proposed anti-Dutch military alliance would be worth the cost of a rupture with Maximilian.<sup>102</sup>

In keeping with this design, Olivares was keen to promote the idea of a tripartite league of Spain, Austria, and England as the best means to attain peace in Flanders and Germany and a full restitution of the Palatinate. Discussing the arrival of Robert Anstruther in the Imperial court in June 1631, Olivares told Hopton that if Charles were to offer, "while the business of Germany are doubtfull," his pledge of league and assistance, the Emperor would be obliged to accept and render the Palatinate in just recompense.<sup>103</sup> The Emperor, however, was displeased with Charles's permission of the Marquis of Hamilton's expedition to aid the Swedes, and cited the same as reasons for why at present he could not countenance offering England the Palatinate.<sup>104</sup> Anstruther, for his part, found the situation in Vienna little disposed toward a profitable settlement of the Palatinate decision, the Emperor being completely unwilling to make the rupture with Bavaria that would be necessary. Additionally, Anstruther declared that the Spanish representatives in the Imperial court, in particular the Count of Oñate, were not only unhelpful but appeared to be deliberately trying to stall any progress of the business.<sup>105</sup> Olivares and other Spanish ministers were no less disgusted with Charles's support for

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<sup>102</sup> Elliott, *The Count-Duke*, pp.205, 331. Reeve, *Road to the Personal Rule*, pp.268-269.

<sup>103</sup> Hopton to Dorchester, 18 July 1631, TNA SP94/35 f.252.

<sup>104</sup> Hopton to Dorchester, 22 August 1631, TNA SP94/35 f.262.

<sup>105</sup> Steve Murdoch, "Scottish Ambassadors and British Diplomacy: 1618-1635", *Scotland and the Thirty Years War*, (Brill, 2001), pp.38-41. Reeve, *The Road to the Personal Rule*, pp.270-274.

the Swedish campaign and believed that their delays in the Palatinate business were fully justified.<sup>106</sup>

Concerned at a letter from Anstruther discussing his concerns about Spanish malingering, Hopton met with Olivares to discuss the proposals Anstruther had delivered to the Emperor. Olivares frankly told Hopton that the English demands for restitution of at least the Lower Palatinate and a lifting of the Imperial ban, but with no concrete promises or assurances from England offered in exchange, were completely unrealistic. Furthermore, he believed that Charles's efforts in this direction would only drag the treaty out to interminable lengths which would only play into the hands of those who hoped to see the treaty fail. Taking heart from this exchange, Hopton wrote back to Anstruther that Olivares was "very through in his desire to give his Majestie satisfaction and an enemy to all delays therein."<sup>107</sup> Olivares at the same time assured Hopton that he would dispatch letters to the Spanish ministers in Germany asking them to do all they could to hasten the negotiations with the Emperor.<sup>108</sup> Olivares of course sought to dismiss any notion that the Spaniards were at fault for the negotiations' halting steps, and told Hopton "there is noe doubt to bee made of the Emperor his good will, but he hath about him some ministers that regard more their owne interests then their masters."<sup>109</sup> As 1631 drew to a close, however, it was clear that things were not going well in Vienna.

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<sup>106</sup> Council of State, 11 September 1631, AGS E 2519, 136 [unfoliated].

<sup>107</sup> Hopton to Dorchester, 7 September 1631, TNA SP94/35 f.268.

<sup>108</sup> Hopton to Dorchester, 7 September 1631, TNA SP94/35 f.279.

<sup>109</sup> Hopton to Dorchester, 11 September 1631, TNA SP94/35 f.287.

After the Battle of Breitenfeld on 17 September 1631, Hopton said there was a discernible change in the attitudes of the ministers in Madrid, and that while they, Olivares included, remained positive about the likelihood of an accord, “I observe that theyr late ill successe there, will cause them to stand more uppon a confederacy betweene the Emperor and his Majestie then otherwise they would have done.”<sup>110</sup> Thus, in their weakened and panicked state in the face of the Swedish deluge, the Habsburgs would yield the Palatinate for nothing less than a full commitment from Charles to join with Madrid and Vienna in an offensive-defensive league as the English alliance seemed all that could counterbalance the Swedish entry.

Hopton’s confidence in Olivares’s assurances dissipated rapidly in November 1631 as further reports of Anstruther’s frustrated negotiations reached Madrid. “I have ben hetherto of opinion that Spaine hath bin very willing to further his Majesties busines concerning the Palatinat,” Hopton wrote in early December, but after seeing letters from Anstruther, “I have cleane changed my opinion & doe now iudge that the true cause of all the delays that his Lordship hath meet with in the course of his negotiation there proceedes from hence.”<sup>111</sup> Anstruther in Vienna had encountered Diego de Quiroga, a Spanish friar, who baldly related the contents of the Cottington treaty to Anstruther and stated that Charles would receive no assistance from Spain until he had made good on his

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<sup>110</sup> Hopton to Dorchester, 2 November 1631, TNA SP94/35 f.311v.

<sup>111</sup> Hopton to Dorchester, 1 December 1631, TNA SP94/35 f.328.

own promises concerning the Dutch.<sup>112</sup> While it is unclear how much Hopton knew of the particulars of the revelation, Anstruther evidently communicated clearly that the Spanish had explicitly declared their unwillingness to assist his negotiations in Vienna under present conditions. Confronting Olivares about this seeming double-talk, the Count-Duke's response was simply to ask "what would you have us to do, for if we restore it, you cannot keep it without help & it were a shame for us to restore it to you & keep it for you & have nothing in recompense."<sup>113</sup> Olivares's comments reveal the sentiments that were now entrenched in the Spanish Council of State: namely, that Charles was asking too much and offering too little and that he was too weak to either threaten Spain or independently hold the Palatinate if given it. By late November, the Council determined,

There is no occasion to fear that the King of Great Britain will break the peace he has with your Majesty although Frederick Palatine, his cousin should not be restored and the little likelihood there is that your Majesty can gain anything from that king against the Hollanders should be well considered<sup>114</sup>

While Charles had chosen to trust Spain and the Emperor to restore the Palatinate as a point of favor and on the basis of right alone, he also nurtured hopes for a Swedish alternative. Gustavus Adolphus, invading Germany in 1630, had in 1629 sought military and financial assistance from Charles, hoping to forestall the Anglo-Spanish peace and enlist English assistance for his campaign against the Empire. Charles balked at these

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<sup>112</sup> Reeve, *Road to the Personal Rule*, p.271. L. J. Reeve, "Quiroga's Paper of 1631: a missing link in Anglo-Spanish Diplomacy during the Thirty Years War," *English Historical Review* 101 (401), (1986), pp.913-926.

<sup>113</sup> Hopton to Weston, 1 December 1631, TNA SP94/35 f.332.

<sup>114</sup> Council of State, 20 November 1631, AGS E 2519, 139 [unfoliated].



offers, however, and while he was willing to allow the Swedes to recruit in his kingdoms, he was too eager to extricate himself from the war to join with Sweden. Accordingly, Sweden turned away from England and instead looked to France for an anti-Habsburg partnership.<sup>115</sup> Charles's acquiescence to Swedish recruiters operating in his lands was insufficient to keep the Swedes indebted to assisting the cause of the Palatines, but it was nonetheless enough to irritate the Habsburgs, particularly the Imperial court. Most offensive to Emperor was the army of over 6000 soldiers that the Marquis of Hamilton took with him to the Continent in 1630.<sup>116</sup> Hamilton's force would not be particularly effective and would be all but non-existent by 1632, but the gesture was appreciated too well in Madrid and Vienna. While Olivares prior to Breitenfeld had tried to overlook the matter in favor of his hoped-for Anglo-Habsburg league, the Emperor had immediately found Hamilton's army a convenient excuse for dismissing Anstruther's negotiations.<sup>117</sup> Charles's final dismissal, urged on by Weston, of Gustavus Adolphus's efforts for an alliance in late 1631 had left Sweden cooled toward English matters and thus made the Swedes little inclined to prioritize Anglo-Palatine matters in their war against the Emperor.<sup>118</sup> Instead, the Palatinate would be kept in Swedish custody for its great strategic value in fighting the Habsburgs.<sup>119</sup> Even some of the English recruits came to

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<sup>115</sup> Reeve, *The Road to the Personal Rule*, pp.236-237.

<sup>116</sup> Alexia Grosjean, "Scotland: Sweden's Closest Ally?", *Scotland and the Thirty Years War*, pp.152-153.

<sup>117</sup> Hopton to Dorchester, 7 September 1631, TNA SP94/35 f.268. Hopton to Dorchester, 22 August 1631, TNA SP94/35 f.262.

<sup>118</sup> Reeve, *The Road to the Personal Rule*, pp.275-288.

<sup>119</sup> Karl-Heinz Rothenberger, Karl Scherer, Franz Staab, Jurgen Keddigkeit, Eds., *Pfalzische Geschichte*, i,(Kaiserslautern, 2001), pp.262-263.

realize this and Gerbier forwarded at least one letter from Brussels in late 1631 written by an English soldier asking to come home and citing the Swedes' evident lack of interest in restoring the Palatinate as just grounds for his desertion.<sup>120</sup> Given this break with the Swedish forces, it was with some trepidation that Charles received news of the threat posed to the Spanish-held Palatinate by the advance of Swedish armies throughout the winter of 1631. Gerbier reported from Brussels that the Spanish military leadership, still recovering from the disaster on the Slaak, was rushing as many forces as it could spare to defend the Palatinate.<sup>121</sup> In the face of the simultaneous Swedish and Dutch advances, this great strain on the resources of the Army of Flanders would of course contribute greatly to the festering discontent that gave rise to the nobles' conspiracy in which Gerbier would play such a prominent role.

Eager to advance the negotiations before a Swedish conquest altered conditions too much, Charles authorized Hopton to pick up in Madrid what had faltered in Vienna. In instructions to Hopton, Dorchester wrote with dissatisfaction of the extent to which the "treaty at Vienna had to that tyme moved, or rather by what subterfuges & delays it stood still" which Dorchester made plain he attributed as much to Olivares as to the Emperor. Accordingly, Charles charged Hopton to speak frankly with Olivares and remind him of the obligations Spain had agreed to in the treaty of Madrid:

Let them knowe there remaynes nothing to be further treated or agreed betwixt his Majestie & that King, all being settled & concluded betwixt them save onely this point of the Palatinat [...] you must in that case tell the Conde his Majesty

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<sup>120</sup> John Butler to Gerbier, 24 November 1631, TNA SP77/20 f.239.

<sup>121</sup> Gerbier to Secretary of State, 5 December 1631, TNA SP77/20 f.245.

knoweth not of what use his Ambassador is at Vienna or why he should any longer depend on this treaty, much lesse send any other powers for the new proposed treaty by the Fryar at Vienna<sup>122</sup>

Thus Charles was attempting to send the message to Olivares that he did not consider himself obliged to activate any provisions of the Cottington treaty or similar military alliance until Spain had yielded the Lower Palatinate and begun pressuring the Emperor to restore the Upper. When around the same time Hopton met with Olivares on this matter, he declared the Quiroga paper was inadmissible because it had not been a proper document, bearing no seal of state. Olivares conceded this readily, leaving Hopton to conclude that the Count-Duke would make no effort to press on the matter. Nevertheless Olivares reaffirmed his consistent defense: that the matter rested entirely with Vienna and that the Spanish forces occupying the Palatinate awaited only the Emperor's order to restore the territories to the Prince Palatine.<sup>123</sup> Olivares also was clear in that he expected Charles to be more proactive, reminding Hopton of the conditions Charles himself had agreed to in the 1630 treaty to negotiate a peace in Flanders or even better, a general peace in Germany. This being done, Olivares plainly intimated that a successful conclusion of the Palatinate business would be more forthcoming, and that the Prince Palatine would find himself restored in Heidelberg as soon as the Imperial ban was lifted.<sup>124</sup> Hopton recognized that the Count-Duke had drawn a line in the sand, and wrote back to London that "without a peace with the Hollanders there is little hope of good" for

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<sup>122</sup> Dorchester to Hopton, 9 December 1631, TNA SP94/35 ff.337-338.

<sup>123</sup> Hopton to Dorchester, 10 December 1631, TNA SP94/35 ff.339-339v.

<sup>124</sup> Ibid, ff.340-340v.

the Palatinate treaty.<sup>125</sup> By mediation or alliance, Olivares was determined that Charles should earn the Palatinate by giving Spain peace and security in Flanders.

Among his initial instructions upon his arrival in Brussels, Gerbier had been charged with discovering the minds of the ministers in Brussels toward the restoration of the Palatinate. Delivering his report on the matter in December 1631, Gerbier painted a bleak picture. “The seate and consequence of the Palatinat was to considerable unto them for to be moved unto a restitution,” he wrote, arguing that the military importance of the Rhineland towns was simply too essential to the Spanish war effort for them to risk ever leaving them in another’s hands. As illustration, Gerbier pointed to the frantic efforts then underway to protect the lands from the Swedes, by which “all the force of the Empire and Spaine should rather choose to perish than suffer that aple of their eye to be lost.” In addition to military necessity, Gerbier stated that the Spaniards were loath to see the re-establishment of the Reformed creed in the Palatinate lands, and the Flemish clergy had regularly proclaimed the moral duty of the Spaniards to restore the territories to the Catholic faith.<sup>126</sup> Especially discouraging, and in stark contrast to what Hopton was simultaneously hearing from Olivares, Gerbier declared:

And whatsoever show the ministers make that of our side might be hoped a restitution the Electoral dignity excepted, and provided that the Emperour have his endes in the education of the young Prince and Spain as well his particular interest as their maine one, that your Majestie should procure a Treaty with the Hollanders: Notwithstanding soe it is that neither the Emperour nor Spaine did ever intend it<sup>127</sup>

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<sup>125</sup> Ibid, f.341.

<sup>126</sup> Gerbier to Charles, 19 December 1631, TNA SP77/20 f.337.

<sup>127</sup> Ibid, f.337v.

With such scant hopes in the Spaniards, Gerbier saw a surer hope in a Swedish conquest of the Palatinate, and with the movements of the Swedish forces toward the Rhine, he projected that Frederick might return into his own by Easter 1632.<sup>128</sup>

Charles did not share Gerbier's confidence in the King of Sweden, and as 1632 began, Dorchester gave Gerbier instructions to press anew for the remission of Frankenthal back into English custody.<sup>129</sup> Appraising the military and political situation in Flanders, Gerbier said it was unlikely the Spaniards would be able to hold the Palatinate as unrest was continuing to build up in Flanders, and there were rumors afoot that the Spaniards would surrender the lands to the Swedes without resistance.<sup>130</sup> Responding to his instructions regarding Frankenthal, Gerbier said that Carlos Coloma and Rubens had both already echoed the sentiments of Olivares, insisting that "the restitution does not depend at all on Spain."<sup>131</sup> Additionally, given the current threat posed by the Swedes and the apparent decision of the much divided state council in Brussels to resolutely defend the Palatinate, Gerbier predicted they would cling to the territory until the bitter end.<sup>132</sup> On the particular subject of Frankenthal, Gerbier said he had no reason to believe the Spanish ministers would be amenable to honoring the old agreement with King James, and on the contrary said there was a tendency among the

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<sup>128</sup> Gerbier to Dorchester, 29 December 1631, TNA SP77/20 f.363v.

<sup>129</sup> Secretary of State to Gerbier, 28 January 1632, TNA SP77/21 f.23.

<sup>130</sup> Gerbier to Dorchester, 3 February 1632, TNA SP77/21 ff.32v-33.

<sup>131</sup> Gerbier to Dorchester, 18 February 1632, TNA SP77/21 ff.70-70v.

<sup>132</sup> *Ibid.*, f.70v.

Spaniards in Brussels to believe “that after the King of Sweden enters the Palatinate, the King of Spain will be freed of these engagements.”<sup>133</sup> As the campaign season of 1632 began, Gerbier reported in May that the Infanta, worried about the growing discontent among the Flemish nobles and the just-begun siege of Maastricht, was ready to hand Frankenthal and other Palatinate towns into Charles’s hands but had been prevented by the vetoes of the Spanish ministers on the council.<sup>134</sup> Despite this, Gerbier entertained hopes that given the increasingly desperate military situation in Flanders, orders from Madrid might override the intransigent council.<sup>135</sup>

Gerbier was particularly encouraged in these notions by the Abbé de Scaglia, who was himself involved in the Palatinate negotiations. Scaglia wrote his own letter to Charles offering a plan to advance Charles’s ends. Always eager to interpose himself in the business of others, Scaglia asked Charles for a clear statement of his desires and goals, while also stating that the Infanta was powerless to grant him custody of Frankenthal without the approval and cooperation of the ministers of the King of Spain. Scaglia affirmed that in the present situation, the Spaniards could not yield the Palatinate to Charles since Charles had no ability to protect its integrity against the Swedes should Gustavus wish to move through it to attack other lands of Spain or the Emperor.<sup>136</sup> Scaglia’s purpose was clearly to entice Charles to offer Spain some more concrete

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<sup>133</sup> Ibid, f.71.

<sup>134</sup> Gerbier to Secretary of State, 8 May 1632, TNA SP77/21 ff.169-169v.

<sup>135</sup> Ibid, f.170.

<sup>136</sup> Scaglia to Charles, 15 May 1632, TNA SP77/21 f.182.

promises of assistance against the Habsburgs' enemies, something which was consistent with Olivares's aims and doubtless the result of collusion between the two. When asked by Secretary Coke who Scaglia was representing, Gerbier responded that the Abbé had all but renounced Savoy and was acting effectively as a minister of Spain.<sup>137</sup> Scaglia continued to make suggestions to Gerbier for how Charles might improve his negotiations, generally centering on the great opportunity which Spain's present plight in Flanders presented to England. If Charles took the initiative and negotiated a treaty between the Spaniards and the Dutch, possibly including Sweden and the Emperor, Scaglia was of the opinion the complete restitution of his brother-in-law would be almost certain.<sup>138</sup> While Scaglia may have had an exaggerated opinion of Charles's relative strength at that moment, his offers did reflect the gravity of the straits in which the Spaniards found themselves following the fall of Maastricht and the tumultuous summoning of the States General in Brussels. Additionally, the Abbé emerges as the first of many outside observers who would argue that Charles's greatest aid in achieving his ends would be a more active and interventionist disposition.

The siege of Maastricht throughout the summer of 1632 had put the Spanish government in Brussels in panic, and the measures to defend the Palatinate suffered accordingly. In June, the council in Brussels began deliberating on pulling troops back from the Palatinate, where fiscal shortfalls were already raising the threat of mutiny.<sup>139</sup>

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<sup>137</sup> Gerbier to Coke, 24 July 1632, TNA SP77/22 f.13v.

<sup>138</sup> Gerbier to Coke, 14 August 1632, TNA SP77/22 f.65v. Gerbier to Coke, 4 September 1632, TNA SP77/22 f.93v.

<sup>139</sup> Gerbier to Secretary of State, 9 June 1632, TNA SP77/21 f.236v.

By October, René Viebarelle, the governor of Frankenthal, would write to the Infanta begging for military and material assistance, his garrison in terrible state, and unable to withstand a Swedish attack.<sup>140</sup> John Taylor's mission to Brussels in the autumn of 1632 that had so worried Gerbier's contacts among the Free Catholic States plotters, was another attempt by Charles to get the Infanta to hand Frankenthal and other Palatinate towns over to his control. Taylor, being well received by both the Infanta, and the King of Spain's ambassador the Marquis d'Aytona, expressed his master's wish to have the cities remitted to him. Aytona promised Taylor that Philip was truly desirous of giving Charles "full satisfaction" on the matter, but hinted cryptically that it would require some action from Charles and asked for Taylor's appraisal of the King of England's disposition in the matter. Answering just as cryptically, Taylor assured Aytona

how full the King of England's royal brest was of good intentions towards them, which would presently be put in execution as soone as they should give him occation and inable him to doe itt, and with all I told him that above all things they ought to take heed not to make frustrate the sincere love and affection the King of England bore them<sup>141</sup>

It seems clear that Taylor and Aytona were both obliquely referring to the Cottington treaty, making plain that the Spanish fully expected Charles to make some move to either pacify the Dutch through treaty or make common cause against them with the Spaniards. Taylor's response, however, conveyed Charles's immutable position that he did not consider himself bound to implement any of the Cottington agreement's provisions until the Spaniards had first assisted him with regard to the Palatinate. Taylor's interactions

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<sup>140</sup> Viebarelle to Infanta, 9 October 1632, TNA SP77/22 f.152.

<sup>141</sup> Taylor to Secretary of State, 24 October 1632, TNA SP77/22 f.176.



with other ministers in Brussels followed similar lines. The Infanta asked Taylor to persuade Charles of the desperate and precarious military situation in Flanders, while Scaglia and others in the court constantly bubbled over with talk of how much they desired to see Spain and England act in concert.<sup>142</sup> Given this climate it is no surprise that Gerbier's conspirator friends feared that Taylor was the harbinger of an Anglo-Spanish alliance that would foil their plot, but Secretary Coke was not untruthful when he instructed Gerbier to dismiss their fears by explaining that Taylor had come to press for the relinquishing of Frankenthal and for no other purpose.<sup>143</sup> Taylor's errand was unsuccessful, and ultimately Frankenthal surrendered to the Swedes in November before the Spaniards could make a final decision of whether or not to give it to Charles. Scaglia was greatly upset that the Spaniards had squandered the opportunity to please Charles by delivering the city into English custody, and its occupation by Sweden (however short-lived, as the Spaniards would return in 1634 in the aftermath of Nordlingen) would bring an end to Charles's hopes that the Treaty of Madrid itself could solve the Palatinate conundrum.<sup>144</sup>

Gerbier, always a partisan for a Swedish alliance, greeted the news of the surrender of Frankenthal happily. Always eager to make his own policy suggestions, Gerbier asked that Coke and Charles consider the prospect of a grand league of the German princes, the Dutch, Sweden, France, and England, which in his mind would be

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<sup>142</sup> Ibid, f.176v. Taylor to Secretary of State, 31 October 1632, TNA SP77/22 f.209.

<sup>143</sup> Coke to Gerbier, 9 November 1632, TNA SP77/22 f.227.

<sup>144</sup> Gerbier to Coke, 27 November 1632, TNA SP77/22 f.276.

much more amenable to restoring the Palatinate than the Spaniards.<sup>145</sup> Gerbier's optimism, along with that of the rest of Protestant Europe, was dashed when news of the Battle of Lutzen began to spread. At the battle, fought 16 November 1632, Gustavus Adolphus was killed and with him died the initiative he had seized against the Habsburgs and the charisma to make use of it.<sup>146</sup> While the death of the King of Sweden would be a blow to pipe dreams like Gerbier's, and the subsequent Habsburg recovery in Flanders and Germany would see the Palatinate securely back in Spanish hands, a possible blessing for the negotiations was mixed amid the news of Protestant reverses. Prince Frederick of the Palatinate died on 29 November 1632, which Gerbier confirmed in a letter to London in December.<sup>147</sup> With him, it was hoped, would die the terrible sin of rebellion and usurpation, making the Emperor more amenable to the restoration of Charles's nephews. In a letter to Charles, the Infanta promised that she would continue trying to press for a satisfactory conclusion of the Palatinate matter and for the remission of the towns to English custody. She also extended her condolences on the death of Charles's brother-in-law and expressed her sympathy for Elizabeth Stuart.<sup>148</sup>

It is at this stage, with the deaths of Gustavus Adolphus and Prince Frederick, that studies such as Reeve's follow Gardiner in concluding that Charles turned his back on the

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<sup>145</sup> Gerbier to Coke, 4 December 1632, TNA SP77/22 f.289.

<sup>146</sup> Taylor to Secretary of State, 5 December 1632, TNA SP77/22 f.301.

<sup>147</sup> Gerbier to Coke, 11 December 1632, TNA SP77/22 f.312.

<sup>148</sup> Infanta to Charles, 24 December 1632, TNA SP77/22 f.337.

Palatinate and the Protestant Cause.<sup>149</sup> While after eschewing the offers of the Swedes in late 1631 Charles would never again consider alignment with any Continental Protestant powers, he would not turn a blind eye to the plight of the Palatines. For one, the death of Frederick was not seen as a loss at all, but rather a boon for the Palatinate negotiations. Writing from Madrid in reaction to the news, Hopton said that while regretful, “if it bee, I hope his Majestie shall finde an easier passage in his businesse which more concernes him degree nearer then it did.”<sup>150</sup> Continuing in his musings, Hopton said the death of Frederick presented an opportunity for Charles to adopt a new tack in his dealings with the Habsburgs. Urging a realistic appraisal of the situation, Hopton suggested Charles “enlarge himself to what hee can conveniently doe, and with all this Prince Palatine proceed as one that is neither obnoxious to, nor ielouse of the house of Austria, it will take off many difficultyes in this businesse.”<sup>151</sup>

### **III. Charles’s Direct Negotiations: 1633-1635**

The cause of the Palatines remained dear to many among the London crowds but the Habsburg representatives in England were able to detect a noticeable calming effect resulting from Frederick’s death, with various royal officers like the Earl of Arundel

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<sup>149</sup> Reeve, *Road to the Personal Rule*, pp.289-291.

<sup>150</sup> Hopton to Weston, 15 January 1633, TNA SP94/36 f.236.

<sup>151</sup> *Ibid*, f.236v.

offering conciliatory remarks and speaking against the partisans of Elizabeth Stuart.<sup>152</sup> The situation remained delicate however, as Charles and his ministers were still irritated that the Spaniards had not seen fit to deposit Frankenthal into their hands before the Swedish invasions. Tailler wrote to the Infanta to report news that the English were extending feelers toward the Protestant princes of Germany to try to arrange the deposition of the Palatine towns currently occupied by the Swedes, though the English court was allegedly divided on the wisdom of these measures since in the aftermath of Lutzen the Emperor appeared on the ascent.<sup>153</sup> Charles eventually decided on a compromise, and Weston informed Tailler that the king was resolved to accept custodianship of the towns if the Protestant princes offered them, but preferred to do so with the assent of the Emperor. To this end, Charles gave a letter to Juan de Nocolalde to ask the Emperor to restore the Palatinate to his nephew, the new Prince Palatine Charles Louis, on the grounds that the death of the father had removed all cause for quarrel. Charles also requested that Nocolalde recommend the case to his master the King of Spain to send his own letter to the Emperor.<sup>154</sup> Receiving news that Elizabeth Stuart intended to independently send Charles Louis to request his lands from the Protestant armies, Tailler noted a growing rift between the aims of Elizabeth and her royal brother, suggesting it would be prudent for the Emperor to perform some good office before the Protestants had the opportunity to do so, in order to confirm Charles on the path of an

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<sup>152</sup> Tailler to Della Faille, 7 January 1633, HHSa PC 65 f.2v.

<sup>153</sup> Tailler to Infanta, 21 January 1633, HHSa PC 65 f.15.

<sup>154</sup> Tailler to Infanta, 28 January 1633, HHSa PC 65 ff.28-28v.

Anglo-Habsburg treaty.<sup>155</sup> Indeed, Charles and his sister did part ways, which even the Spaniards were aware of via Necolalde's conversations with Arundel.<sup>156</sup> Elizabeth, who immediately following her husband's death had proposed coming to England, made a final decision in February to remain in the Hague. While Charles was just as adamant as James had been in the 1620s for her not to come to England, some attributed the decision to her Dutch hosts being unwilling that she depart without paying her considerable debts.<sup>157</sup> Tailler also believed that the Dutch feared losing her as a lever on Charles's interactions with the Spaniards:

and in particular the Prince of Orange (who many say governs her entirely) fears that [Elizabeth's leaving the Netherlands] taking this king so far from his hands, [Charles] will resolve more easily to some resolution to [Dutch] detriment which they suspect and they are (so I hear from good sources) with great apprehension of some great intelligence between England and Spain<sup>158</sup>

Despite these conciliatory movements amid changed circumstances, Gerbier found that the state council in Flanders had not diminished in its hostility to the Palatines and the question of Frankenthal's deposition. "One can see from the passion of the [Spanish] that they have not the least intention for the restitution of the Palatinate and would rather lose everything than render a tiny morsel like Frankenthal."<sup>159</sup> From Spain, Hopton found the situation similarly unchanged. Olivares, he told Weston, would still accept nothing less than Charles's diplomatic or military intervention against the Dutch,

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<sup>155</sup> Tailler to Infanta, 28 January 1633, HHSA PC 65 f.30.

<sup>156</sup> Council of State regarding letters received from Necolalde, 14 April 1633, AGS E 2047, 45 [unfoliated].

<sup>157</sup> Tailler to Infanta, 30 January 1633, HHSA PC 65 f.30.

<sup>158</sup> Tailler to Infanta, 4 February 1633, HHSA PC 65 f.42v.

<sup>159</sup> Gerbier to Charles, 29 January 1633, TNA SP77/23 f.17v.

“as the not doing it will make them could towarts us, and the doing it may make the Palatinat a deere purchase for England.”<sup>160</sup> In Hopton’s mind, Charles would have to choose between having his cake and eating it. As the early months of 1633 pressed on, Hopton noted Olivares’s push to settle matters in Germany and interpreted the Count-Duke’s “Germany first” strategy as the reason why Spain had been so tight-fisted regarding Frankenthal: “that if by the settling their businesses of Germany or Flanders they can make themselves able they will returne to make a warr in that cuntry, from which they had bin in a manner barrd if they had delivered the Principall place thereof.”<sup>161</sup>

Hopton also recognized that a crucial component to Olivares’s geopolitical calculations was the somewhat unstable position of the Duke of Bavaria in the central European scheme. While a leading prince of the Catholic League, Maximilian was not always guaranteed to have interests identical to the Emperor, and both Vienna and Madrid were continuously wary of Bavaria’s balance between the Habsburg axis and the machinations of France.<sup>162</sup> Additionally, as the primary beneficiary of the stripping of the Electoral dignity and lands from the Prince Palatine, he was bound to be alienated by any movement to placate Charles’s intercessions for his nephew. Part of Spain’s reluctance to render Frankenthal, as well as to render aid to Charles’s diplomatic efforts in Germany in general, thus sprung from a fear of antagonizing Bavaria. Charles’s own

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<sup>160</sup> Hopton to Weston, 15 January 1633, TNA SP94/36 f.236v.

<sup>161</sup> Hopton to Cottington, 21 March 1633, TNA SP94/36 f.252. Hopton to Weston, 12 April 1633, TNA SP94/36 f.264.

<sup>162</sup> Reeve, *The Road to the Personal Rule*, pp.268-269. Sharpe, *The Personal Rule*, pp.93,95-96.

unwillingness and inability to assist the Spaniards with regard to the Dutch only increased the weight of Maximilian, and Hopton frankly noted that Olivares was inclined to give Bavaria preference because “that Duke is more likely they turns in the businesse of germany, then his Majestie in the businesse of Flanders.”<sup>163</sup> Hopton was at a loss to provide good advice, saying, “I am farr from persuading a war, yet I cannot commend a friendship wherein wee may loose much and gaine little, but this point seems to mee very considerable.”<sup>164</sup> When in autumn of 1633 the Cardinal-Infante Ferdinand was preparing to make his conquering march from Milan to Brussels, Hopton predicted that if successful (as it resoundingly was), this development would only further weaken the English position by eroding the Spaniards’ dire need for English support against the Dutch.<sup>165</sup>

In answer to requests from Charles given via Hopton, Philip and Olivares at the end of 1633 announced their intention to send the Count of Oñate back to Vienna to facilitate another attempt at Anglo-Imperial negotiations. Visiting Necolalde in London, Cottington passed on Charles’s approval of the news and also the king’s request that Necolalde would write to Oñate to ask him to exert every effort to incline the Emperor toward an agreement.<sup>166</sup> In Spain, Hopton reported that the Spanish ministers were hopeful that Charles would make a good and reasonable offer, which for the Spaniards

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<sup>163</sup> Hopton to Weston, 12 April 1633, TNA SP94/36 f.264v.

<sup>164</sup> Ibid, f.265.

<sup>165</sup> Hopton to Coke, 1 September 1633, TNA SP94/36 f.328.

<sup>166</sup> Necolalde to Philip, 18 November 1633, AGR SEG 364 f.49.

always meant a general offensive and defensive league aimed at the Dutch. Hopton declared that while he feared Charles “should never obtaine any thing but upon conditions whereby their turne may bee served alsoe,” England could at least rest secure in knowing that “if they thinke their turne can bee served by noe body but his Majestie (as I believe they doe) it is probable they will never like his turne should bee served by any body but them” and that “if his Majestie should thinke fit to make use of them, hee should always finde the doore open.”<sup>167</sup> Charles’s offer was still in accordance with the decision Weston, now the Earl of Portland, had shared with Tailler in January, namely to ask the Emperor’s consent to Charles Louis’s accepting of the Swedish occupied Palatinate towns as a stepping stone to an eventual full restitution.<sup>168</sup> Having corresponded with Oñate per Charles’s request, Necolalde relayed to Madrid and Brussels that Oñate said the Emperor’s ministers found the proposal troublesome, since, among other reasons, the Prince Palatine had violated the Imperial ban by re-entering the Empire without permission when dispatched by his mother to meet with the Protestant princes. Nevertheless, a committee would be formed to deliberate the matter.<sup>169</sup> Spain appeared genuinely interested in pursuing a mutually advantageous settlement at this point, for Oñate’s instructions stressed that it would be advantageous for Charles and the Emperor to come to an accord. Olivares posited that with the Lower Palatinate at that moment largely subject to Swedish occupation, an agreement between the Emperor and

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<sup>167</sup> Hopton to Weston, 18 November 1633, TNA SP94/36 ff.365-365v.

<sup>168</sup> Tailler to Infanta, 18 November 1633, HHSA PC 65 f.252v.

<sup>169</sup> Necolalde to Cardinal Infante, 27 January 1634, AGR SEG 364 ff.70v-71.



Charles would induce the King of England to “lose faith in the cause of the Protestants of Germany” and “to recover [the Lower Palatinate, he] can be persuaded to enter into treaty with Your Majesty.”<sup>170</sup>

In addition to the Imperial quibbling, the Bavarian interest was bound to cast a dark shadow on the proceedings. As the year progressed, Hopton complained that in Madrid, “the Emperor hath a Comissary here whoome I finde a great servant of the Duke of Bavarias, and I thinke hee doth us noe good offices for as much as concernes him.”<sup>171</sup> That Bavaria evidently had such a potent proponent at Madrid may well have influenced Olivares’s preoccupation about offending Maximilian. Bavaria would continue to waver on its commitment to the Habsburgs, and Hopton noted that Olivares’s warmth toward the Palatines would rise and fall with reports from central Europe.<sup>172</sup> Charles nevertheless evidently continued to place his fullest confidence in the efforts of the Spaniards, since in the same period he rebuffed advances from the French and Swedes. Chancellor Oxenstierna’s son Johan had been in England during the spring of 1634 to woo Charles into a military league against the Habsburgs with offers of the Swedish occupied Palatinate, but in June young Oxenstierna departed with much resentment at Charles’s courses.<sup>173</sup> Rumors that France was trying to acquire the Palatinate from the Swedish occupiers, doubtless in an effort to gain leverage with England, were proven

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<sup>170</sup> Discourses on the instructions of Oñate for his embassy to the Imperial court, [Spring] 1634, AGS E 2047,76 [unfoliated].

<sup>171</sup> Hopton to Secretary of State, 22 May 1634, TNA SP94/37 f.39.

<sup>172</sup> Hopton to Coke, 17 July 1634, TNA SP94/37 f.65v.

<sup>173</sup> Tailler to Della Faille, 27 June 1634, HNSA PC 65 f.320.

when Gerbier learned that the Duke of Simmaringen, who the Swedes had left as administrator of the Swedish-occupied Palatinate, was currently in negotiations with Richelieu to surrender the places into French control. Prince Thomas of Savoy, serving Spain in Flanders and trying to mediate the Palatinate question between Spain and England, had inquired if Charles had commissioned these efforts, but Gerbier (seemingly truthfully in this instance) denied any knowledge of them. Prince Thomas, evidently satisfied with Gerbier's response, said that he was sending his own agents to Madrid and Vienna and had secured promises from Philip that plenipotentiary powers would be granted to the Marquis d'Aytona, the interim governor in Flanders, to mediate a treaty between the Duke of Bavaria and the Emperor for a satisfactory settlement regarding the Palatinate and the reversion of the Electoral dignity.<sup>174</sup> While Prince Thomas saw these negotiations as critical and urged Charles to send an extraordinary ambassador to participate or empower Gerbier to do so, it was clear that the most important embassy was Oñate's in the court of the Emperor. Charles's steadfast adherence to Spain and rebuffing of the Franco-Swedish overtures lay in his conviction that Habsburg power was on the recovery after the death of Gustavus Adolphus and his belief that Imperial fortunes were so dependent on Spanish forces and Spanish monies that even Vienna acquiesced to Madrid.<sup>175</sup>

These events were concurrent with Necolalde and Weston's negotiations for the maritime treaty of 1634 to Charles and it is clear that the Spaniards viewed those

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<sup>174</sup> Gerbier to Coke, 6 October 1634, TNA SP77/24 ff.378-379.

<sup>175</sup> Sharpe, *The Personal Rule*, p.95.

arrangements as another attempt to secure English assistance against the Dutch in return for which they could in good conscience intercede with the Emperor regarding the Palatinate. In Brussels, Gerbier's conference with Prince Thomas's agent had clearly associated the conclusion of an Anglo-Spanish naval agreement with Spain's purported desires to give Charles satisfaction in the Palatinate and in Madrid Hopton fully supported the maritime treaty and ultimately also the ship money fleets as a means to oblige Spain to make good its promises to pressure the Emperor.<sup>176</sup> John Taylor's embassy to Madrid coincided with these negotiations and Olivares made every effort to appear conciliatory and eager to placate Charles's wishes.<sup>177</sup> Among other gestures, Olivares had the council of state issue a *consulta* forbidding Spanish forces from ousting Charles Louis from any towns he was able to reoccupy. Pleased at this, Taylor encouraged Olivares to make further demonstrations of good will, at which point Olivares began hinting that Charles could reciprocate by assisting in the parallel plight of the Duke of Lorraine who had been ousted from his own lands by French invasion in 1633. Taylor deftly responded that Charles would be happy to do so in return for Spain and Lorraine's assistance in restoring the Palatinate.<sup>178</sup> This manner of back-and-forth obligation characterized much of the talks between the two ministers, but both evidently held high hopes for the maritime treaty, which they regarded as a certain thing. Taylor said that Spain was truly willing to satisfy Charles but only needed some security of

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<sup>176</sup> Gerbier to Coke, 6 October 1634, TNA SP77/24 f.378v. Sharpe, *The Personal Rule*, pp.74-75.

<sup>177</sup> Hopton to Weston, 11 October 1634, TNA SP94/37 f.120.

<sup>178</sup> Taylor to Portland, 11 October 1634, TNA SP94/37 ff.122-122v.

Charles's attachment to their friendship, but that in present circumstances "wee may be assured that they would do anything they could possible here in so as itt was not to break with the Duke of Bavaria."<sup>179</sup> The maritime treaty, then, was integral in Taylor's opinion "for once being sure with the King of Spaine, the way will be more easy with the Emperor and as for the Duke of Bavaria he is not the greate man he was, besides the Duke of Lorraine may soon to draw him."<sup>180</sup> In Flanders, Prince Thomas shared these views and told Gerbier that an accord between Spain and England would force the Emperor's enemies to come to terms, thus freeing the Emperor to be gracious regarding the Palatinate.<sup>181</sup> Madrid, however, also viewed the maritime treaty as a convenient means to maintain Anglo-Spanish relations on a positive footing while avoiding the issue of the Palatinate. In early February 1634, the Marquis de Mirabel submitted a *voto* to Philip urging that even though Charles was reluctant to enter into a league against the Dutch or French, some measure was necessary to "maintain him in a useful and secure neutrality."<sup>182</sup> Olivares agreed and encouraged the maritime treaty as a means "to have a plausible negotiation with that king to divert him from the intentions of France and unite him more with your Majesty."<sup>183</sup>

The dramatic and decisive victory of the Cardinal-Infante and King of Hungary at Nordlingen in September greatly improved the Habsburg position in central Europe and

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<sup>179</sup> Ibid, f.123.

<sup>180</sup> Ibid.

<sup>181</sup> Gerbier to Coke, 13 October 1634, TNA SP77/24 f.390v.

<sup>182</sup> Voto of Mirabel to Philip, 6 February 1634, AGS E 2520 [unfoliated].

<sup>183</sup> Council of State, 10 February 1634, AGS E 2520 [unfoliated].

English diplomats were worried what effect it would have on Spain's readiness to treat on the Palatinate. Inquiring on this matter with Olivares, Taylor found the Count-Duke full of reassurances that Spain remained as devoted to the cause of the Prince Palatine as ever.<sup>184</sup> Nevertheless, from Flanders Gerbier painted a different picture; he had had an opportunity to glimpse at some of the papers President Cost had brought with him from Madrid, which despite Prince Thomas's assurances of Philip's willingness to treat and give Charles full satisfaction, stated that Cost should "make most for the Emperours good, and for this state."<sup>185</sup> Secretary Coke shared Gerbier's suspicions of the Spaniards' plans in which "appeareth nothing for the advantage of his Majestie or his friends, but al for the Emperour and the Duke of Loreine."<sup>186</sup> Coke instructed Gerbier to continue making what efforts he could, but that Charles was not placing much confidence in the negotiations Prince Thomas had been trying to promote. Part of the problems with this Savoyard intercession seems to have arisen from the prince simply overplaying his hand and acting without the full knowledge or support of the Spaniards. Despite all the assurances delivered to Gerbier, which Prince Thomas continued to deliver throughout late 1634, Necolalde seemed perplexed about the reports he was hearing from English ministers. The Earl of Portland and the secretaries of state had approached him numerous times asking if Prince Thomas's actions were truly sanctioned by Spain, but having heard nothing whatsoever on the matter, Necolalde was unable to give them any satisfactory

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<sup>184</sup> Taylor to Portland, 9 November 1634, TNA SP94/37 f.136.

<sup>185</sup> Gerbier to Coke, 10 November 1634, TNA SP77/24 f.442.

<sup>186</sup> Coke to Gerbier, 21 November 1634, TNA SP77/24 f.450.

answers.<sup>187</sup> The Spaniards had their own reasons to be suspicious of English intentions as Necolalde reported that there were French agents being received by Charles's secretaries with invitations to another proposed anti-Habsburg league, which English ministers like Cottington could not deny.<sup>188</sup> By this point, Spain and France were both jockeying for the favor of England, and both holding the Palatinate aloft as the great prize to be won. Meanwhile, Oñate's business in Vienna continued to plod along, towards the end of formalizing an offensive-defensive league between the Spanish and Austrian Habsburgs which it was still hoped England could be recruited to join.<sup>189</sup>

At the end of 1634 Charles chose to send Endymion Porter to Brussels to greet the newly arrived Cardinal-Infante and press him for redress of various grievances concerning maritime security and trade and of course, the Palatinate matter.<sup>190</sup> Upon his arrival, Porter was well received and found the Cardinal-Infante an amiable and reasonable person.<sup>191</sup> Porter's greetings and offers of friendship from Charles pleased the Cardinal-Infante, who evidently entertained hopes that Porter's embassy would bode well for the much-longed-for Anglo-Habsburg league.<sup>192</sup> This remained the primary focus of the Count of Oñate's negotiations in Vienna, where the Emperor had eagerly received the

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<sup>187</sup> Gerbier to Coke, 8 December 1634, TNA SP77/24 f.466v. Necolalde to Cardinal-Infante, 12 January 1635, AGR SEG 364 f.235v.

<sup>188</sup> Necolalde to Cardinal Infante, 1 December 1634, AGR SEG 364 f.212.

<sup>189</sup> Necolalde to Cardinal-Infante, 8 December 1634, AGR SEG 364 f.220.

<sup>190</sup> Coke to Gerbier, 21 November 1634, TNA SP77/24 f.450v.

<sup>191</sup> Porter to Secretary of State, 28 November 1634, TNA SP77/24 f.458.

<sup>192</sup> Cardinal-Infante to Philip, 22 February 1635, AGR SEG 212 ff.191-191v.

proposition. Still, the Cardinal-Infante saw ample room for an upset, writing to his brother the King of Spain that “the King of England cannot be expected to part easily from the side of the Protestants of Germany which he has always taken.”<sup>193</sup> Necolalde received instructions from Philip in February announcing that Oñate had concluded a formal military alliance between Spain and the Emperor to see out the end of the Thirty Years War and that both Madrid and Vienna were hoping that Charles would become the third member. Having received a formal request for the Palatinate’s restitution from Charles, the Emperor had also requested that Necolalde facilitate Anglo-Imperial talks from London.<sup>194</sup> Discussing these matters with the Cardinal-Infante, Necolalde relayed a catalog of letters he had received from Madrid with instructions for assuring Charles of all that Philip was doing to promote the restitution of the Palatinate and efforts to get England to commit to the Habsburg alliance.<sup>195</sup>

A first sign of trouble on the horizon, the Cardinal-Infante wrote in April to Oñate, asking him to take a special care in Vienna to not give Charles any offense “for which he could use the ships he is arming against us,” illustrating the high premium he was placing on English benevolence in the Channel and the concerns the Spaniards felt in connection to the growing ship money fleet.<sup>196</sup> Through Necolalde, the Cardinal-Infante was only too aware that Richelieu had not slackened off his attempts to win Charles over,

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<sup>193</sup> Cardinal-Infante to Philip, 15 February 1635, AGR SEG 212 ff.150-150v.

<sup>194</sup> Necolalde to Cardinal-Infante, 23 February 1635, AGR SEG 364 ff.260-260v.

<sup>195</sup> Ibid, ff.261-261v.

<sup>196</sup> Cardinal-Infante to Oñate, [undated] April 1635, AGR SEG 212 f.337.

and shared Necolalde's worries that the death of the Earl of Portland in March 1635 would leave Charles susceptible to French advances.<sup>197</sup> The French diplomats in London were always bringing up the subject of the Palatinate, saying Charles could only regain it by force in conjunction with the Habsburgs' enemies. The Swedes too tried to break Charles from his treaty with the Spaniards, offering a future marriage alliance between Charles Louis and the two-year-old Queen Christina of Sweden.<sup>198</sup> These negotiations were not taken too seriously, Tailler reported, due to the many years that would pass before the proposed marriage could come to fruition as well as the return of Anstruther with tales of the great decline in Protestant fortunes and the growing power of the Emperor in Germany, which "being a Scotsman and little affected to us, are all the more credible here."<sup>199</sup> The principal threat always came from the French, and as mid-May brought news that England had definitely rebuffed the efforts to join a league with Spain and Austria, the Cardinal-Infante wrote to Madrid worrying what influence the French might have over the first ship money fleet that was then preparing to set sail.<sup>200</sup> Underlining how isolated and vulnerable Flanders seemed as France moved toward its declaration of war at the end of May 1635, the Cardinal-Infante felt it was all the more necessary to placate England.<sup>201</sup> On the same note, Necolalde wrote from London that

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<sup>197</sup> Necolalde to Cardinal-Infante, 13 April 1635, AGR SEG 365 f.13.

<sup>198</sup> Tailler to Della Faille, 27 April 1635, HHS A PC 65 f.407.

<sup>199</sup> Tailler to Della Faille, 10 May 1635, HHS A PC 65 f.412.

<sup>200</sup> Cardinal-Infante to Philip, 15 May 1635, AGR SEG 212 f.503. Cardinal-Infante to Philip, 15 May 1635, AGR SEG 212 f.523.

<sup>201</sup> Cardinal-Infante to Philip, 15 May 1635, AGR SEG 212 f.549.



through his confidants he had learned that the English ministers and Privy Council were privately full of complaints about the little satisfaction they had received from Spain with the Emperor, “leaving them to decide that regarding the league to which this king would be invited, they would speak no more of it with us.”<sup>202</sup>

At this precarious state, the news of the Peace of Prague further destabilized Anglo-Habsburg affairs. The peace had ended the fighting between the Emperor and the German princes, leaving only the French and Swedish armies to continue the war in Germany against Imperial authority.<sup>203</sup> The news of the treaty was offensive to Charles because it indicated a German settlement made independently of his interests and with no provision for the restitution of the Palatinate.<sup>204</sup> The first rumors of the negotiations had arrived in England in late May and when confirmed in June the response was widespread outrage in the English court.<sup>205</sup> Particularly odious was the article granting the Palatinate’s electoral vote to the Duke of Bavaria’s posterity as a hereditary right, the electorate having previously been assigned to Maximilian only for his own lifetime. Walter Aston had been sent back to Madrid in mid-1635 as Charles’s ordinary ambassador, and took with him instructions recounting Spain’s past promises to help with the Palatinate and “what fruite wee reaped of their large promises in the end” and ordering him to keep a closer watch “whether their counsells keepe them still at like

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<sup>202</sup> Necolalde to Cardinal-Infante, 18 May 1635, AGR SEG 365 f.84.

<sup>203</sup> Parker, *The Thirty Years War*, pp.127-129.

<sup>204</sup> Sharpe, *The Personal Rule*, pp.515-516.

<sup>205</sup> Necolalde to Axpe, 25 May 1635, AGR SEG 365 f.88. Necolalde to Axpe, 20 June 1635, AGR SEG 365 f.162.

distance, or whether the necessities of their affaires will not draw them at length to more respect and realitie.”<sup>206</sup> In July, these were supplemented with additional instructions describing the offending Peace of Prague and demanding that the Spaniards offer some concrete promises that they would not abandon the Palatinate matter as concluded.<sup>207</sup>

The resulting confusion in London created a wild diplomatic scene into which various foreign interests would compete for Charles’s attention and favor. Prominent among these was the dramatic arrival of the Prince Palatine Charles Louis in England in December 1635. Necolalde saw this as part of an elaborate plot involving the French and Dutch ambassadors to rally popular opinion in favor of the Prince Palatine and his family and to influence Charles toward joining an anti-Habsburg coalition. Forced to absent himself from court lest his presence be taken as recognition of the Prince Palatine’s pretended titles, Necolalde found ample cause to worry as “some of my confidants that are present and make what offices they can for our cause, fear the instability of this king.”<sup>208</sup> The French and Dutch emissaries proposed that Charles send out his amassed naval forces under the flag of the Palatinate and attack Spain’s possessions in the Americas. In tandem, Charles would allow the French to raise large numbers of English to occupy the Palatinate while another Anglo-Dutch force of several thousand men under the Marquis of Hamilton would attack Bavarian forces. Necolalde reported with some alarm that Hamilton and Henrietta Maria were pressing Charles hard to accept these

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<sup>206</sup> Instructions for Aston, 19 June 1635, TNA SP94/37 f.189v.

<sup>207</sup> Instructions for Aston, 21 July 1635, TNA SP94/37 f.208.

<sup>208</sup> Necolalde to Cardinal-Infante, 7 December 1635, AGR SEG 365 f.320.

terms.<sup>209</sup> As Charles had seemed seriously to consider these options, it was with great relief that Necolalde ultimately wrote that the King of England had stated in audience that he taken great displeasure with the conduct of the French ambassador Senneterre and so was discarding all these proposals. Additionally, Charles expressed resentment at the great influence French and Dutch forces had exerted over his nephew who he had thus decided to “detain him here for some time, kept away from that ill school of Holland and of the evil counselors his mother has there.”<sup>210</sup> While these were the reasons stated publically, Charles’s renunciation of the Franco-Dutch alliance was perhaps primarily due to long-standing distrust of French intentions in Central Europe, and the fact that Charles knew the French and Dutch expected him to assist in ousting the Spaniards from Flanders, which he had no desire to see in their hands.<sup>211</sup> For better or for worse, Charles had elected to trust the Habsburgs, though the general atmosphere of uncertainty that prevailed between the signing of the Peace of Prague and December 1635 also sheds some light on the urgency with which Necolalde implored Philip and the Cardinal-Infante to send the promised subsidy of 200,000 escudos for the ship money fleet, as well as the apprehension Madrid and Brussels evidently felt about doing so.

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<sup>209</sup> Necolalde to Cardinal-Infante, 14 December 1635, AGR SEG 365 ff.342-342v. For Queen Henrietta Maria’s alliance with court godly and the pro-French party see: Malcolm Smuts, “The Puritan Followers of Henrietta Maria in the 1630s,” *English Historical Review* 93 (366), (1978), pp.26-41.

<sup>210</sup> *Ibid*, ff.343v-344v.

<sup>211</sup> Sharpe, *The Personal Rule*, pp.511-512, 514-515.

Reflecting his decision to abandon the French overtures, Charles dispatched John Taylor to Vienna to establish an understanding with the Emperor.<sup>212</sup> The Habsburgs greeted the news well and even at this point still dreamed of an English alliance which they believed would offset the entry of France into the war.<sup>213</sup> Necolalde gave Taylor warm recommendations, stating that Taylor was a Catholic and a gentleman and that he had impressed Philip and Olivares during his trip to Madrid in 1634 with his great affection for the House of Austria.<sup>214</sup> Necolalde placed high hopes in Taylor's ability to establish a good rapport between England and the Emperor and also complained that Charles was being misled to believe ill of the King of Spain by a cabal of misinformants, Gerbier chief among them.<sup>215</sup> That Gerbier was perceived as contributing to souring relations between England and the Habsburgs was an integral part in the Spaniards' consistent desire to see Gerbier removed from Brussels. Taylor's mission, it was hoped, would allow the two sovereigns to fully appreciate each other's mind, without the corrupting mediation of agents like Gerbier or the partisans of the Duke of Bavaria.

Parallel to these developments, the cadre of scheming nobles about Prince Thomas had continued to propose strange new projects by which they promised they could secure the Palatinate. Joined by the exiled Duke of Lorraine and the Duke's sister the Princess of Pfalzburg, Prince Thomas pitched a scheme to Gerbier via his agent the

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<sup>212</sup> Necolalde to Axpe, 7 September 1635, AGR SEG 365 f.222.

<sup>213</sup> Copy of Secretary Villanueva to Philip, 15 September 1635, AGR SEG 213 f.136v.

<sup>214</sup> Necolalde to Axpe, 15 September 1635, AGR SEG 365 f.231. Necolalde to Cardinal-Infante, 15 September 1635, AGR SEG 365 f.223.

<sup>215</sup> Necolalde to Cardinal-Infante, 10 November 1635, AGR SEG 365 f.285v.

Baron Pusiol by which the Lower Palatinate could be restored immediately on the basis of Charles making a solemn oath not to ever raise arms against the House of Austria. This being done, the electoral dignity could be restored on condition Charles withdraw all military aid from the Dutch. Gerbier indicated that these proposals had as little credibility as Prince Thomas's previous efforts, saying "I cannot find these Ministers to say Amen unto his desires concerning the same, whether cause Baron Pusiol interested in contemplations of Prince Thomas or that these will not dare countenance any matter without expresse order or those propositions thought Chimeres."<sup>216</sup> The interest of the Savoyards and Lorraine exiles was to gain Charles's cooperation with the Spaniards against Richelieu, although neither the Spanish council in Brussels nor Olivares had ever given much sanction to their plotting.<sup>217</sup> As the likelihood of any of these schemes being accepted declined, the proposals themselves became stranger, such as the plan hatched by Pusiol in February to cement a Palatine-Habsburg peace by marrying the Cardinal-Infante to Charles's eldest niece to which Gerbier could only look askance and say Pusiol "deserve a goulden statue iff succeeds in that dessyne."<sup>218</sup> Clearly, if any restitution was to occur at this point, it would have to be the result of a direct arrangement between England and the Empire.

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<sup>216</sup> Gerbier to Coke, 18 January 1636, TNA SP77/26 ff.5-6.

<sup>217</sup> Gerbier to Coke, 4 January 1636, TNA SP77/25 f.353.

<sup>218</sup> Gerbier to Coke, 22 February 1636, TNA SP77/26 f.57. Gerbier to Coke, 1 March 1636, TNA SP77/26 f.61v.

#### **IV. Conclusion**

For the English the decade-worth of negotiations for the cause of the Palatinate would in 1639 have appeared nothing more than a chain of delays, excuses, and insults. For the Spanish, the decade represented a long test of patience; a waiting game to outlast Charles's objections and cajole him into an anti-Dutch alliance. Both sides believed that they each were acting rationally and honorably and were wrought with frustration at the intransigence of the other. The fundamental problem which hampered the entire decade's negotiations lay in the completely irreconcilable positions of the two principal actors. Charles believed that through the 1625-1630 Anglo-Spanish War and the subsequent Peace of Madrid signed between Olivares and Cottington he had obliged the Spaniards to accept his position regarding the Palatinate: the deprivation of Frederick V of his lands and the Electoral dignity was an illegal act and Frederick and his son Charles Louis ought to be restored on basis of right alone. While Charles had consented to the Cottington agreement and had expressed his willingness to Spanish representatives like Don Carlos Coloma to follow through on the provisions, he clearly regarded these as favors to be granted in return for Spanish recognition of the Palatine rights.

To the Spanish, on the other hand, the Palatinate matter was never considered in terms of rights or entitlement. Rather, the Upper and Lower Palatinates and the Electoral dignity were simply one more set of free goods to be bought or sold in the great marketplace of European diplomacy. The price they named in 1630, and the only price they were truly ever willing to accept, was the offensive-defensive league. Spain's

commitment to this alliance was rooted in Olivares's unwavering conviction that the entry of the English into league with Spain would in itself be sufficient to terrify the United Provinces into negotiating a lasting peace in the Netherlands.<sup>219</sup> With Spain's Belgic ulcer thus healed, the war in Germany could be decided in the Habsburgs' favor, and the Austro-Spanish hegemony to which all Olivares's plans aspired could at last be realized. For Olivares, the English alliance also offered the best solution to Habsburg anxieties over the precarious alignment of Bavaria. While Olivares and the Emperor had no doubts about Maximilian's zeal for the Catholic cause, neither had any illusions that the Duke held the same commitment to the Habsburg cause. Nevertheless, Bavaria's position was too critical, her armies too essential to the delicate balance of forces in central Europe. Even in 1637 when it was widely known that Maximilian was entertaining offers from Richelieu, neither Madrid nor Vienna would ever countenance turning on him without a guarantee of exchanging the Duke for the superior and (it was hoped) efficacious alliance with England.<sup>220</sup>

These distinct differences in perspective were immediately manifested in 1631, when the friar Diego de Quiroga flatly demanded the alliance from Anstruther as the *sine qua non* for any treaty with the Emperor touching the restoration of the Palatinate. The embarrassing conclusion, wherein Charles hollowly claimed to have no knowledge of the Cottington agreement, only made Charles more resolute to sit stubbornly upon his case

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<sup>219</sup> Reeve, *The Road to the Personal Rule*, pp.238-241.

<sup>220</sup> Elliott, *The Count-Duke*, p.543.

that the Palatinate was guaranteed by Frederick V's hereditary right.<sup>221</sup> Olivares next promoted the 1634 maritime treaty negotiated by Windebank and Necolalde as a stepping stone to the full alliance, hoping to ease Charles into a military association with Spain while promising improvements in his Palatine dealings as reward. Charles's decision to forego the Spanish money offered in the treaty produced by Necolalde and rather to fund his naval expansion himself with the ship money writs was most ostensibly (as counseled by Hopton) designed to preserve his independence in commanding his own ships.<sup>222</sup> In light of the events of 1631 and the mixture of caution and indignation with which Charles viewed the Spanish demands, the decision for ship money was also clearly an effort to avoid entering into even a partial alliance with Spain that would obligate Charles to break with the Dutch even without the full offensive-defensive league. Charles's efforts to correspond directly with the Emperor throughout 1633-1635 brought about the final embarrassment in 1636. Each encouraged by John Taylor's excessive optimism during his mission to Vienna in early 1636, the Emperor was convinced that Charles was finally ready to establish the Anglo-Habsburg alliance while Charles was led to believe that the Emperor was prepared to completely restore Prince Charles Louis to all lands and titles simply on the basis of right.<sup>223</sup> In truth, of course, neither England nor the Habsburgs had shifted from their respective positions of 1631, and Arundel's mission in 1636 was largely a re-enactment of Anstruther's fruitless embassy.

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<sup>221</sup> Reeve, *The Road to the Personal Rule*, p.271.

<sup>222</sup> Sharpe, *The Personal Rule*, p.74.

<sup>223</sup> *Ibid*, pp.519, 828.



## Chapter 5: Lorraine, Scotland, and the Palatinate, 1636-1639

The Spaniards for their part seemed at various times ready seriously to consider handing over the Lower Palatinate and pressuring the Emperor to restore the Upper Palatinate and electoral dignity, but they simply were unwilling to do this for nothing. The treaty of Madrid contained provisions for Anglo-Spanish cooperation to achieve both nations' ends, and the secret Cottington-Olivares agreement contained the basic provisions for Olivares's greatest hope: a united Anglo-Spanish front against the Netherlands.<sup>1</sup> But Charles, leery of war in general and unwilling to break with the Dutch especially, found these propositions distasteful and did not want to be drawn into what was guaranteed to be an unpopular war without receiving the Palatinate as payment in advance. Charles's wavering on the issue did nothing to inspire confidence in Madrid, and thus the Spaniards were reluctant to sacrifice their hold on the Lower Palatinate in the absence of any concrete demonstrations of an English alliance. While it is easy to focus on the lack of any effective results from these negotiations and thus conclude that Spain never took England seriously enough to render the Palatinate, a closer inspection of the 1630s reveals that Spain consistently was ready to offer the lands to Charles for the right price. Even apart from the desired Anglo-Habsburg league, there were also moments in which Charles appeared in a position of advantage and worried Spain enough for Madrid to consider gratifying the King of England for less.

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<sup>1</sup> Elliott, *The Count-Duke*, p.403. Reeve, *The Road to the Personal Rule*, p.253. Sharpe, *The Personal Rule*, p.72.

The Earl of Arundel's mission to Vienna in late 1636 was the product of the Anglo-Spanish and Anglo-Imperial talks of the early 1630s and represented Charles's final act of trust in the Habsburgs to restore the Palatinate to Charles Louis through a peaceful settlement. In the pursuit of this settlement, Charles spurned the overtures of the Swedes and French and isolated himself from his natural allies against the Habsburgs. When Arundel's errand proved fruitless the result was a tremendous embarrassment and a serious crisis for Anglo-Spanish relations. If Madrid and Vienna had hoped that possession of the Palatinate was a lever to keep England in neutrality, that plan crumbled with the possession of the Palatinate becoming England's potential *casus belli* against the Habsburgs. While English policy in the 1630s would ultimately avoid any actual outbreak of war with Spain, policy towards Spain after Arundel's return from Vienna in early 1637 was the iciest since 1625. Charles was incensed and again publicly entered into discussions with the French, Swedes, and Dutch, dispatching Thomas Roe to the anti-Habsburg conference in Hamburg in 1638. In Madrid, and especially Brussels, Spanish officials were fearful that Charles would unleash his fleets upon the coasts of Flanders, Spain, and the Indies. Even in this climate, however, contact between the two sides persisted in the form of the secret negotiations for the Palatinate conducted via Balthasar Gerbier and the Princess of Pfalzburg, which for a time bolstered hopes of an Anglo-Spanish rapprochement over a satisfactory restitution. While these negotiations would prove no more successful than those Charles undertook directly with the Habsburgs, they did maintain open channels of engagement between England and Spain

and, along with Spain's increasing need for naval security in the Channel, paved the way for the great Spanish diplomatic offensive of 1640.

### **I. Arundel's Mission to the Emperor**

John Taylor had arrived in Vienna in January 1636 where he was warmly received. Sending word back to London, Taylor had nothing but good to say of the Emperor's disposition toward Charles's entreaties and desire for better correspondence.<sup>2</sup> Gerbier wrote that the Emperor had sent word to Brussels that he intended to send commissioners to treat directly with the King of England on the subject of the Palatinate.<sup>3</sup> Taylor's reports to London were full of similar assurances, all leading Charles to believe that the Emperor was at last ready to grant immediate and total satisfaction on the Palatinate matter, asking only some concessions such as the toleration of the Catholic faith in the restored Palatinate and permission for Spanish garrisons to remain in Frankenthal and other important Rhine towns.<sup>4</sup> Necolalde was bombarded with questions in London from Charles's ministers and wrote excitedly to Brussels asking what assurances he could give the English that Spain would make every effort to further the treaty with the Emperor, especially after word arrived that the Emperor would be sending his own agent to England. Necolalde was also concerned about reports that the Duke of

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<sup>2</sup> Necolalde to Cardinal-Infante, 25 January 1636, AGR SEG 366 f.58.

<sup>3</sup> Gerbier to Coke, 1 February 1636, TNA SP77/26 f.25.

<sup>4</sup> Necolalde to Cardinal-Infante, 8 February 1636, AGR SEG 366 ff.85-85v. Sharpe, *The Personal Rule*, p.519.

Bavaria insisted on being privy to these negotiations, which seemed to promise difficulties.<sup>5</sup> Nevertheless, he did everything he could to encourage the English in believing that a fruitful settlement was at hand. Meanwhile, Taylor continued to send good reports from Vienna, even mentioning that the Queen of Hungary, the future Empress, had taken a personal interest in facilitating the conclusion of the treaty.<sup>6</sup> In April, word arrived that Clement Radolt, a member of the Aulic Council, would be coming to England with commission to treat with Charles.<sup>7</sup>

Reciprocating the dispatch of the Aulic Councilor Radolt, Charles soon gave orders for the extraordinary embassy of the Earl of Arundel to Vienna, and through Necolalde requested that the Cardinal-Infante prepare letters recommending Arundel and his suit to the Emperor and the King of Hungary.<sup>8</sup> The Cardinal-Infante happily agreed to these terms and promised that the letters would be waiting for Arundel when he passed through Brussels.<sup>9</sup> Meanwhile, Necolalde had received orders from both Madrid and Brussels to host Radolt at his own house in London as a show of Habsburg solidarity and to do everything to assist him in his business.<sup>10</sup> The Cardinal-Infante had also ordered that Necolalde draw up for Radolt a brief primer on the way of business of England, which contained some poignant observations on the delicacy of both Anglo-Habsburg

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<sup>5</sup> Necolalde to Cardinal-Infante, 14 March 1636, AGR SEG 366 f.146.

<sup>6</sup> Necolalde to Cardinal-Infante, 28 March 1636, AGR SEG 366 f.166.

<sup>7</sup> Gerbier to Coke, 18 April 1636, TNA SP77/26 f.125v.

<sup>8</sup> Necolalde to Cardinal-Infante, 11 April 1636, AGR SEG 366 f.197.

<sup>9</sup> Axpe to Necolalde, 25 April 1636, AGR SEG 366 f.210.

<sup>10</sup> Necolalde to Cardinal-Infante, 25 April 1636, AGR SEG 366 f.214.

relations and Charles's position within his kingdom.<sup>11</sup> Regarding the Palatinate, Necolalde said that Charles would accept nothing less than a total restoration of his nephew, including the Electoral dignity, which would have to be stripped from the Duke of Bavaria.<sup>12</sup> With regard to the ship money fleet, Necolalde said that though Charles had projected to put forty vessels in the Channel by the summer of 1636, so far he had only succeeded in launching about twenty-five.<sup>13</sup> Finally, he mentioned that in the face of the great damage Charles could work upon the Spaniards with his fleet if he chose, it was necessary by all means to prevent Charles from being sufficiently displeased to break relations with the Habsburgs.

Necolalde stressed that at present Charles was highly optimistic about the treaty and that Taylor's mission to Vienna had been a mere feeler, while Arundel's imminent departure with plenipotentiary powers was a sign of increased trust and commitment.<sup>14</sup> This was corroborated by the fact that Charles had not dispatched any recent emissaries to the Protestant princes, to Denmark, or to Sweden, and had allowed open negotiations with those powers to lapse.<sup>15</sup> In the face of heated opposition from the Queen, from Puritan councilors, and partisans of the French, Dutch, and Prince Palatine, Charles had resolutely adhered to his decision to win the Palatinate by negotiation. While he was aware of Charles's great potential power and had warned Radolt accordingly, Necolalde

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<sup>11</sup> Discourse of Necolalde on Instructions of Councilor Radolt, 25 April 1636, AGR SEG 366 f.215.

<sup>12</sup> *Ibid.*, f.216.

<sup>13</sup> *Ibid.*, f.215v.

<sup>14</sup> *Ibid.*, f.216v.

<sup>15</sup> *Ibid.*, f.218.

also emphasized Charles's complete dependence on Parliament, should he ever wish to seriously consider another war, as well as his stated desire and intention to never summon another.<sup>16</sup> This was a fact to which Necolalde would attach great significance, believing it afforded the Spaniards a wide margin of security in their dealings with England. Arriving in May, Radolt was for the most part well received though he found some of the Privy Council hostile to his mission and had to endure the persistent efforts of the French and Savoyard (following Duke Victor Amadeus's decision to participate in an anti-Spanish league) ambassadors to disrupt the negotiations.<sup>17</sup> Radolt reported further that the Queen and the French faction associated with her were extremely hostile, and he could thus expect nothing but hindrance from that quarter.<sup>18</sup> Despite these obstacles, the Cardinal-Infante was relieved to hear that Radolt was being warmly welcomed by the king and in accordance with Charles's wishes had happily sent Arundel on his way to Vienna with his sincere recommendations.<sup>19</sup>

As Radolt's mission began and Arundel made his way toward the Emperor, the Cardinal-Infante wrote to Philip saying he had done everything he could to promote a good correspondence between England and the Emperor and would continue to keep both Necolalde and Madrid apprised of news from Vienna as soon as he became aware of it.<sup>20</sup> While the Cardinal-Infante appeared to be genuinely inclined toward resolving the

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<sup>16</sup> Ibid, f.215.

<sup>17</sup> Necolalde to Axpe, 16 May 1636, AGR SEG 366 ff.256v-257v.

<sup>18</sup> Necolalde to Galarreta, 30 May 1636, AGR SEG 366 f.278.

<sup>19</sup> Cardinal-Infante to Necolalde, 29 May 1636, AGR SEG 366 f.272.

<sup>20</sup> Cardinal-Infante to Philip, 30 April 1636, AGR SEG 214 f.316.

Palatinate crisis as a matter of course, he also had a vested interest in keeping Charles a peaceable and cooperative neighbor. Lurking in the background of this present Anglo-Spanish amity was the shadow of the ship money fleet which the Spaniards were increasingly worried would be employed against them if Charles's business in Vienna did not go according to his liking. Two Imperial commanders, Piccolomini and Isenberg, visited Gerbier at his home to express their hopes for a satisfactory restitution of the Palatinate, to which Gerbier pointedly remarked that Charles, like his father before him, had always dealt fairly with the Habsburgs and "though scorned to fish in troubled waters, if all failes, his cleere seas will not."<sup>21</sup> Necolalde was also keeping a cautious eye on the growing ship money fleet and to scuttlebutt among "Puritans and friends of strife and our enemies" who confidently declared the fleet would sail in service of the Prince Palatine.<sup>22</sup> Gerbier remained extremely pleased with the effect the burgeoning fleet was having on the attitudes of the Spaniards remarking on "an apparent truth some here to consider their good Neighbours strength and harme they can doe then their friendship," and saying he had many occasions to remind people that Charles was "wise, just, and good, able to right his when thinkes best. To me seems of great waight that outward show of what his Majestie could doe by extreames."<sup>23</sup>

The first problems began to appear internally on the Spanish side in June, when the Count of Oñate wrote to Necolalde that he had received orders from Philip to delay

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<sup>21</sup> Gerbier to Coke, 8 February 1634, TNA SP77/26 ff.33v-34.

<sup>22</sup> Necolalde to Cardinal-Infante, 29 February 1636, AGR SEG 366 f.117.

<sup>23</sup> Gerbier to Coke, 1 March 1636, TNA SP77/26 f.60v.

the negotiations. Necolalde responded that it would be difficult to do so since he and Radolt had already begun laying groundwork for the prospective treaty. Additionally, with the Earl of Arundel's mission already underway, it would be hard to make excuses without offending Charles.<sup>24</sup> This change of attitude from Madrid reflected the sentiments Olivares had expressed in the Council of State since the beginning of the year. In March, Olivares wrote in a letter to Philip that he was fed up with Charles's continuous vacillations between the Habsburgs and their enemies, stating that the policy of England was "the most irregular I have ever seen in my life."<sup>25</sup> Additionally, Olivares affirmed his belief that by virtue of the recovery the Palatinate from the Swedes in 1634, the territory now belonged to Spain by right of conquest and thus Philip was no longer bound by any of the promises he had made in 1630 regarding the Prince Palatine's rights. The Palatinate was now a good to be sold, "which the king of England asks for but will give nothing for it."<sup>26</sup> Later in June, just as Necolalde and Radolt were learning of the instruction to slow the negotiations, the Council of State had looked with disdain on a letter from Charles delivered by Aston. The members particularly disliked Charles's clear assumption that Philip could simply order the Emperor to restore the Palatinate as they were adamant "the Emperor authoritatively takes greater part" in the matter. The council agreed that the only solution was for Charles to treat with the Emperor and "do

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<sup>24</sup> Necolalde to Galarreta, 6 June 1636, AGR SEG 366 f.289.

<sup>25</sup> Olivares to Philip, 6 March 1636, AGS E 2051,23 [unfoliated].

<sup>26</sup> Ibid.



something for his benefit.”<sup>27</sup> Meanwhile in London, Radolt’s negotiations began to sour under these conditions and Necolalde moved him to a different house some four miles from London in an effort to withdraw him somewhat from the public eye. The Aulic Councilor soon began to grow weary of the pressures of diplomatic life, yearning to return to Germany.<sup>28</sup> As Radolt’s role began to diminish, letters arrived in July from Vienna where Arundel had taken his first audiences. The earl reported that he had been well-received and that the Emperor appeared amenable to reaching a definitive settlement with the King of England.<sup>29</sup> Conscious of the disappointment the English ministers in London had with Radolt’s negotiations, Necolalde made plain how much was riding on Arundel’s success:

They are insisting with us that they will be forced to take little estimation of our affairs and that this king’s neutrality will be more inclined to our enemies than to us than it would when they get what they desire<sup>30</sup>

Wasting no opportunities to further the negotiations and in attempt to further oblige Spain to honor its promises to intercede with the Emperor, Charles ordered Aston to deliver a letter written by the Prince Palatine and addressed to Philip. Coke sent the letter to Aston accompanied by instructions to tell Philip and Olivares that Charles expected their full cooperation in the negotiations underway in Vienna, for “the time now groweth hot and so do the warres, so as even they that wish for peace have no leasure to

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<sup>27</sup> Council of State, 1 June 1636, AGS E 2521 [unfoliated].

<sup>28</sup> Necolalde to Galarreta, 27 June 1636, AGR SEG 366 f.322.

<sup>29</sup> Necolalde to Galarreta, 18 July 1636, AGR SEG 367 f.32.

<sup>30</sup> Ibid.

treat of it.”<sup>31</sup> Aston delivered the letter in September, though quickly found Olivares and Philip to have no interest in responding to any communication from the Prince Palatine, especially as news of Spanish victories and progress in the Cardinal-Infante’s 1636 invasion of France began reaching Madrid.<sup>32</sup> This increased confidence and the desire to negotiate from strength doubtless played a role in the instructions Oñate had received to stretch out the treaty as much as possible. Writing on behalf of Olivares, the Spanish secretary Andres de Rocas informed Aston that no response would be possible at the present time and that until matters had been negotiated and concluded with the Emperor, “it is not possible for His Catholic Majesty who is a member [of the Empire] to treat with the Prince Palatine differently than [the Emperor].”<sup>33</sup> Regarding the treaty in Germany, Rocas would only give vague assurances that Philip’s ministers with the Emperor would continue to promote the negotiations as well as they were able. Olivares’s dismissal of this attempted olive branch as well as the obvious mirth with which he mixed reports of Franco-Protestant reverses into his responses to Aston definitely present the image that Madrid had grown increasingly sure of its improved position relative to its enemies and thus felt justified to demand a higher price for placating Charles’s demands regarding the Palatinate.

Arundel encountered further evidence of this shift in the Imperial court, where the Spanish ministers, especially the Count of Oñate, proved little inclined to assist his

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<sup>31</sup> Coke to Aston, 17 July 1636, TNA SP94/38 f.146.

<sup>32</sup> Aston to Coke, 13 September 1636, TNA SP94/38 f.190. Olivares to Aston, 26 October 1636, TNA SP94/38 f.206. Parker, *The Thirty Years War*, p.136.

<sup>33</sup> Rocas to Aston, 27 October 1636, TNA SP94/38 f.208.

negotiations with the Emperor.<sup>34</sup> Writing to Aston from Ratisbon, Arundel in September was already suspecting that all Charles's hopes had been in vain:

the good Emperor reiterates to me often I shall have satisfaction & in my conscience desires it, but generallity will not doe it & I doe doubt particulars will not both satisfye our kinge & the Duke of Bavarias interestes whoe is much in play now heere, for the Conde Dognata [Oñate], he professes all reallity for the parte of Spayne & sayes he hath & will treat with the Emperor accordingly, but confesseth the Emperor hath noe parte of the Lowe Pallatinate in his owne handes<sup>35</sup>

The justifications went on that the Duke of Bavaria would require some form of recompense since he was in possession of the entirety of the Upper Palatinate as well as the Electoral dignity, while the Spanish-occupied Lower Palatinate would not change hands without additional concessions to Spain. The terms remained exactly the same as those given to Anstruther in 1631:

they expecte to be satisfied by our kinge in theyre conveniencias as he calles it, & sayes they never intended otherwise to quitte it & sayes your Lordships offer to the king of spayne & Mr Taylors offer heere to the Emperor that his majestie was ready to enter into any league with them that is reasonable will serve theyre turne but I perceive he interpretes that word reasonable very lardgely<sup>36</sup>

The price of the Palatinate was thus fixed at England's entering into league with the Habsburgs against their enemies in Germany, Flanders, and France. Arundel said he responded to the Habsburg ministers that while Charles was willing to make any *reasonable* league with Spain or the Emperor, he was adamantly opposed to breaking with any of his confederates, by which Arundel clearly referred to the Dutch and French.

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<sup>34</sup> Sharpe, *The Personal Rule*, p.521.

<sup>35</sup> Arundel to Aston, 8 September 1636, TNA SP94/38 f.185.

<sup>36</sup> *Ibid*, f.185v.

Furthermore, he told Aston that Spain being at present advantaged, “may rather hinder what might be usefull to them both, then further it,” believing they had ample room for haggling with England.<sup>37</sup> By the end of September, Charles was convinced that his longed-for settlement would not be forthcoming and recalled Arundel.<sup>38</sup>

In Flanders, Gerbier was struggling to piece together a coherent account of what was occurring in Germany. A sign that whatever confidence Olivares had in Madrid was not shared in Spain’s peripheries, Gerbier’s Flemish neighbors were particularly distraught at the news of Arundel’s complications then arriving in the court of Brussels. Gerbier reported being constantly approached in the street and at home by those wishing to inquire “if the good correspondence betweene the Crownes runs noe hazard of being shaken which apprehended almost by all and that a breach would be noe lesse to them then to fish and birds the throwing and closing of a nett over their heads.”<sup>39</sup> Still present on the scene, the Duke of Lorraine and Princess of Pfalzburg were trying to pitch a new scheme whereby the Duke would take over lordship of the Palatinate “till interests of parties made square” with an eye towards building an anti-French coalition to recover Lorraine founded upon a guarantee of the Palatinate’s eventual restoration to Charles

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<sup>37</sup> Ibid.

<sup>38</sup> Sharpe, *The Personal Rule*, p.523.

<sup>39</sup> Gerbier to Coke, 8 November 1636, TNA SP77/26 f.292.

Louis.<sup>40</sup> To this end, Lorraine was actively trying to win the support of the Duke of Bavaria his cousin, but met with little success in time to affect Arundel's mission.<sup>41</sup>

Sharing the fears of the Flemish and Spanish ministers in Brussels, and horrified to learn that Arundel had departed the Emperor's presence ill-pleased, the Cardinal-Infante sprang into action writing letters to Philip, the Emperor, and the King of Hungary, "representing how necessary to satisfy his Majestie and of what dangerous consequence the contrary."<sup>42</sup> It was at this moment that the ship money fleet appeared to carry the most weight with the Spaniards, who were extremely fearful that a wrathful Charles would send the fleet against the Flemish coasts.<sup>43</sup> Hoping to learn what had occurred with the Emperor and eager to try to resume the negotiations, the Cardinal-Infante also sought out Arundel's itinerary from Gerbier, hoping to overtake him with his messengers. Clearly running scared, he also made "ample declaration of the King of Spaynes promises, and indeavours touching the restitution of the Palatinat on My Lord Marshal his negotiation retourne and his Majesties bruted Treaty with the French."<sup>44</sup> Charles clearly saw his further flirtations with a French alliance as an alternative to satisfaction from the Habsburgs and Arundel's mission to Vienna had been paralleled by the Earl of Leicester's going to France to discuss terms with Richelieu for England's possibly

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<sup>40</sup> Ibid, f.292v.

<sup>41</sup> Gerbier to Coke, 22 November 1636, TNA SP77/26 f.307v.

<sup>42</sup> Gerbier to Coke, 6 December 1636, TNA SP77/26 f.318v.

<sup>43</sup> See: Chapter 2, II.

<sup>44</sup> Gerbier to Coke, 13 December 1636, TNA SP77/26 f.320.

joining the existing Franco-Dutch league.<sup>45</sup> Clearly the Cardinal-Infante was not alone in his trepidations, and the Emperor was at least partially aware that he and Olivares had miscalculated. Through Prince Thomas, Gerbier learned that the Emperor had sent someone after Arundel offering that Bavaria had agreed to accept monetary compensation for the Upper Palatinate and would freely accede to the restoration of the Lower, asking only that the electoral dignity alternate between Bavaria and the Palatinate.<sup>46</sup> The sentiment if not the substance of this news was corroborated when letters from the Marquis de Gonzaga arrived from the Imperial court, declaring the Emperor's great agitation over Arundel's sudden and angry departure.<sup>47</sup>

Sending a full account of his German business to Aston in January 1637 after returning to England, Arundel said that while Charles's expectation had been that the Emperor was prepared to fully restore the Prince Palatine into all his lands and titles, the truth was that no restitution was ever considered apart from the military commitments the Habsburgs expected from England. Especially injurious to Charles's honor, and all too reminiscent of Anstruther's embassy in 1631, the Spanish ministers led by the Count of Oñate had proved extremely unhelpful. Oñate, Arundel reported,

refused all meddling with anything either of Dignity or Estate which concerned the Duke of Bavaria either by treating with himself or mediating with the Emperor. it is true for the share they possess in the lower Palatinate he would treat, but the condition at least falling upon Holland if not upon France also<sup>48</sup>

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<sup>45</sup> Sharpe, *The Personal Rule*, pp.525-536.

<sup>46</sup> Gerbier to Coke, 27 December 1636, TNA SP77/26 f.327.

<sup>47</sup> Ibid.

<sup>48</sup> Arundel to Aston, 19 January 1637, TNA SP94/39 f.20.

Speaking discontentedly of the Emperor's demands for Charles to join in the league against Sweden and France in particular, he remarked that "nothing was valeded by him that wee had done, nor noethinge to be done, but what was unreasonable."<sup>49</sup> Hopton, continuing in Spain as Aston's junior, was somewhat perplexed that the Spaniards would bungle the affair so poorly, especially when they otherwise seemed so earnestly to desire Charles's good will and cooperation. "For my part I thought it impossible that that wise State should ever give way to the Losse of soe usefull a frend as his Majestie hath bin unto them," he wrote, adding with some apprehension, "it is both possible and likely they may loose us, unlesse there bee greater haste made in preventing it then I can hope for."<sup>50</sup>

The Spaniards were also worried about the aftermath of Arundel's departure and what effect it might have on England's hitherto neutrality in the wars. Olivares, delivering a *voto* of his thoughts on the matter to the Council of State, was concerned not only for the danger to Flanders but also to the Indies, especially in light of rumors reported by both Necolalde and the Count of Villamediana that Charles was considering placing the ship money fleet in the hands of the Prince Palatine. Olivares was especially concerned that Charles would summon a Parliament which he feared would be full of Puritans who would happily vote funds to pay for a naval war against Spain. Desperate for a solution, Olivares mused on the possibility of offering Charles the rents from the Lower Palatinate to assuage him and hopefully gain the alliance of the English fleet in the

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<sup>49</sup> Ibid, f.20v.

<sup>50</sup> Hopton to Aston, 20 January 1637, TNA SP94/39 ff.22v-23.

Channel.<sup>51</sup> The Council of State agreed with Olivares's concerns and viewed the prospect of an Anglo-French alliance with alarm, which they felt would imperil Spanish positions in Flanders and Italy. While the Council did not endorse Olivares's suggestion regarding the Palatinate rents, they did agree that peace must be maintained at all costs and believed it was essential to open a new Anglo-Habsburg conference somewhere on the Continent.<sup>52</sup> In accordance with this, and in a move that would play a large role in the activities of Gerbier and the Lorraine exiles, Madrid dispatched letters granting plenipotentiary powers to the Cardinal-Infante in mid-January. Accompanying this, the Marquis de Castañeda wrote an instruction telling the Cardinal-Infante that any agreement must require "the indubitable and public rupture of that king with the Hollanders."<sup>53</sup> These measures did little to assuage the worries of Philip and Olivares, who both spent the early months of 1637 expecting to hear of the outbreak of war at any moment and eagerly awaited every piece of news from their ambassadors in England and Germany.<sup>54</sup>

Eager to stay in good standing with his neighbor's growing naval forces the Cardinal-Infante wrote to Philip that by all accounts it was clear Charles was much disappointed by the Spaniards, and it was thus extremely necessary to take quick action to offset the offense, for which the Cardinal-Infante asked for clear and direct

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<sup>51</sup> Voto of Olivares on England, 3 January 1637, AGS E 2521 [unfoliated].

<sup>52</sup> Council of State, 4 January 1637, AGS E 2521 [unfoliated].

<sup>53</sup> Castañeda to Cardinal-Infante, 14 January 1637, AGS E 2053 [unfoliated].

<sup>54</sup> Olivares to Philip, 27 January 1637, AGS E 2051, 227 [unfoliated].



instructions.<sup>55</sup> In London, Necolalde seemed far less troubled about developments in the Channel. He spent many conversations trying to moderate the stories circulating about Arundel's mission and that while the streets were full of rampant talk of Charles handing the ship money fleet over to the Prince Palatine, the king's "soul and interior mind is not at all valiant" and that he could not give the rumors much credence, blowing them off as fear-mongering.<sup>56</sup> In stark contrast to Necolalde's confidence, Gerbier said the court at Brussels was in a panic, where all were "troubled on brutes his Majestie not satisfied of delays used eather by the Imperialists or the Spanish Councill, touching the Palatinate, which moves these to apprehen stormed by sea."<sup>57</sup> Gerbier himself would note the great disparity between the calm reports issued by Necolalde and the genuine fear he encountered in Brussels, citing Necolalde's assertion that Spain could safely dismiss the danger of Charles's ships, "which opinion of the Ambassador and Nicolaldy is not approved here by those who understand themselves and their affaires of which the said Ambassador and Nicolaldy seeme but acquainted att distance."<sup>58</sup> Gerbier was pleased with these developments and suggested that if Charles did deploy the fleet to maraud the Flemish coast,

the Spaniards may finde soe much worke in these parts as the comming doune of Legions of Barbarians (to their succours) would constraayne them to offer of themselves unto his Majesties due satisfaction as Sir Peter Rubens tould me once (when the King of Sweden sturring and all here in combustion) these would

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<sup>55</sup> Cardinal-Infante to Philip, 1 February 1637, AGR SEG 216 ff.72-72v.

<sup>56</sup> Necolalde to Galarreta, 13 February 1637, AGR SEG 367 ff.170-170v.

<sup>57</sup> Gerbier to Coke, 21 February 1637, TNA SP77/27 f.60.

<sup>58</sup> Gerbier to Coke, 14 March 1637, TNA SP77/27 f.91v.

thinke themselves happy iff his Majestie would accept the Palatinat and remayne their good friend<sup>59</sup>

The departure of Radolt in March brought the attempted Anglo-Imperial negotiations to a definite close, and increased many of the fears of the Flemish towns accordingly.<sup>60</sup> Writing again to Madrid, the Cardinal-Infante told Philip plainly that the moment when Charles would either break the peace or insist on firmer resolutions from Spain was at hand, and that Philip would have to be ready for decisive action.<sup>61</sup> The same grim urgency was felt in London, and Coke wrote to Aston that given Charles's constant disappointments from the Habsburgs on the subject of the Palatinate, culminating in Arundel's disgust with the Emperor in Vienna, Charles had found "all hopes by their meanes to bee frustrate & vaine" and was thus forced to entertain overtures from the French and Swedes for an offensive-defensive league.<sup>62</sup> Coke went on to charge Aston with determining if Spain was intending on war with England, and if so to warn the English merchants.<sup>63</sup> Necolalde's imperturbability in the face of English bluster was further demonstrated when he related news from the English court about the Earl of Leicester's negotiations with the French. The plan, eagerly offered by Louis XIII and Richelieu and hotly supported by Henrietta Maria and her party, would require

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<sup>59</sup> Gerbier to Coke, 21 February 1637, TNA SP77/27 f.62.

<sup>60</sup> Necolalde to Galarreta, 6 March 1637, AGR SEG 367 f.184. Gerbier to Coke, 4 April 1637, TNA SP77/27 f.108.

<sup>61</sup> Cardinal-Infante to Philip, 6 May 1637, AGR SEG 216 f.154.

<sup>62</sup> Coke to Aston, 30 June 1637, TNA SP94/39 f.158.

<sup>63</sup> *Ibid.*, f.158v.

Charles to send an army of 10,000 men into Germany with obligation to maintain those numbers in the face of attrition. In exchange, the French promised the complete restoration of the Prince Palatine to all his estates and dignities upon conclusion of the war.<sup>64</sup> Though concerned, Necolalde remained confident that Charles would not only be unwilling to enter into the treaty, but *unable*. “I would think this to be a distraction, being certain that this king does not have the will, which means all this is only to take weak forces to make noise and create fear and see what he can work in his Majesty and in Germany with this noise.”<sup>65</sup> To this Necolalde added, “this king does not want to pay nor can he with what he has, nor can he take it without Parliament, which he will not summon, that being his firm resolution.”<sup>66</sup> Subsequent events would vindicate Necolalde’s prognosis and given Madrid’s steadiness during these days it seems evident Olivares found much reassurance in Necolalde’s reports. Writing in response to Secretary Coke’s inquiries about Spanish intentions, Aston stated that while Madrid had resolved to declare war immediately in the event Charles began hostilities against them, they were yet desirous of peace and “the breach here depend upon his Majesties actions, for without movation we may secure ourselves of their peaceable proceedings.”<sup>67</sup> Whatever was to happen, the initiative lay with Charles.

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<sup>64</sup> Necolalde to Cardinal-Infante, 10 July 1637, AGR SEG 367 ff.274-275v.

<sup>65</sup> *Ibid.*, f.276.

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

<sup>67</sup> Aston to Coke, 3 September 1637, TNA SP94/39 f.208.

## II. The Pfalzburg Intervention: 1637-1639

While Madrid regarded the tense situation after Arundel's departure from Vienna with some complacency, the roughened state of Anglo-Spanish relations alarmed interested third parties. Notable among these were the coteries of anti-Richelieu exiles taking refuge in the Spanish Netherlands. Some were supporters of the Queen Mother, who had resided in and about Brussels since her flight from France in 1631. Another group was built around the Duke Charles IV of Lorraine who had fled the French invasion of his duchy in 1634. All of these groups detested Richelieu above all things and were constantly seeking the Cardinal's overthrow through conspiracy with France's foreign enemies. When word reached Brussels of Charles's negotiations with Richelieu following his disappointment with the Emperor, the exiles erupted in a new phase of scheming and intriguing, as an alliance of France and England would only put their various ends more out of reach.<sup>68</sup>

The Lorraine party in particular attached great hopes to an Anglo-Spanish alliance, which they expected would be strong enough to check French power and force a withdrawal from Lorraine. Previously, the Duke of Lorraine, a cousin of the Duke of Bavaria, had been involved in Prince Thomas's outlandish efforts to mediate an Anglo-Spanish accord and the restitution of the Palatinate. Seeing that the Palatinate had been the cause of England and Spain's falling out, the Lorraine party determined that a successful settlement of the Palatinate would thus be the guarantor of an effective

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<sup>68</sup> Gerbier to Coke, 21 March 1637, TNA SP77/27 f.94v.

alliance between the two states. Lorraine's sister, Henriette, Princess of Pfalzburg and Lixheim, had previously assisted her brother's machinations in concert with Prince Thomas, and was by now a regular correspondent with notables throughout central Europe. It was in this capacity that she came to Gerbier's attention and he had maintained a close contact with her since early 1636.<sup>69</sup> Stepping to the fore in 1637, Pfalzburg would initiate a final phase of negotiations for the Palatinate centered in Brussels, which would represent Charles's last attempt to secure the restitution through treaty before rebellion and civil war forced him to shift his attentions elsewhere.

Gerbier was surprised when in November of 1637, after several months of tensions, he learned from Secretary Windebank that the King of Spain, the soon-to-be-emperor King of Hungary, and the Duke of Bavaria were allegedly interested in a new treaty to be based in Brussels that would finally restore the Palatinate. Windebank also wrote that the Cardinal-Infante had purportedly been given plenipotentiary powers from Madrid to negotiate and conclude a successful agreement. Windebank charged Gerbier with discovering if this was true, and if so, to advance Charles's interests in the matter.<sup>70</sup> Gerbier received a fuller exposition of what was afoot when the Princess of Pfalzburg declared to him that it was she, assisted by her brother, who had labored to facilitate this new round of talks. Citing that Charles's greatest desire was for the Palatinate, and that "in primis cause treaties with the House of Austria att a stand, secondly his Majestie engaged in others with France, and no third party to passe offices between the said house

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<sup>69</sup> Gerbier to Coke, 7 March 1636, TNA SP77/26 f.65v.

<sup>70</sup> Windebank to Gerbier, 27 November 1637, TNA SP77/27 f.524.

of Austria, Spaine,” she and her brother offered to discharge this duty as mediators and thus arrange a happy concord for England and the Habsburgs.<sup>71</sup> Gerbier, in relaying this offer, supported it and noted that if nothing else it would provide some good value as political showmanship:

It may be something will come of it and it might be of great use to use some dexterity by way of over great confidence with the said Princesse to make a show to believe France will doe great feates and the union with England to worke great matters, thereby to put theise frightened pates to it, for as experience tells, the Spaniards nature wilbe violented ere things (which in effect just) gotten att their hands<sup>72</sup>

Gerbier deemed the time ripe for such scare tactics, and referred to the Cardinal-Infante’s persistent concerns about being trapped in a three-front war as an easily exploitable weakness in Habsburg policy.<sup>73</sup> While Charles’s prospective French alliance had been decisively abandoned at the end of 1637 in large part due to suspected French ties to the nascent rebellion in Scotland, Gerbier saw no reason to discontinue bringing the matter up as a specter to pressure the Spaniards and terrify the Flemish.<sup>74</sup> Continuing his talks with Pfalzburg throughout December, Gerbier concluded that Pfalzburg and Lorraine were both truly determined to overcome the resistance of all the anti-Palatine interests and that by giving credence to the Spaniards’ noted fears of Charles’s negotiations with the French, “doubt not but some good may be don that way.”<sup>75</sup> Gerbier was correct, for

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<sup>71</sup> Gerbier to WIndebank, 5 December 1637, TNA SP77/27 f.543.

<sup>72</sup> Ibid, f.545v.

<sup>73</sup> Gerbier to WIndebank, 5 December 1637, TNA SP77/27 f.555.

<sup>74</sup> Caroline Hibbard, *Charles I and the Popish Plot*, (Chapel Hill, 1983), pp.74-76. Sharpe, *The Personal Rule*, pp.533-536.

<sup>75</sup> Gerbier to WIndebank, 26 December 1637, TNA SP77/27 ff.611-611v.

simultaneously in Spain Olivares still fretted over the existence of the Anglo-French negotiations and called for prudence in all dealings with England.<sup>76</sup> Developing his thoughts further in a report to Philip, Olivares said that while it was unlikely France would exert any great energies on behalf of the Palatinate, and that accordingly it was not likely that Charles would be any more willing to go to war for Richelieu than he had been for Philip, the best course of action would be to constrain Charles in neutrality. To accomplish this, and also to drive a wedge between him and Richelieu, Olivares believed the best method was “an open treaty with the Señor Infante, with remission of the Emperor.”<sup>77</sup>

Pfalzburg’s confidence early appeared to be well justified. In January she was able to show Gerbier letters from the Emperor to her brother asserting that the Emperor had given his blessing to the project and demonstrating that the Duke of Bavaria had sought to participate in the discussions as well. At this point, Bavaria was still perceived as the principal obstruction to any settlement, and Pfalzburg and Lorraine made determined efforts to exclude Maximilian from the early negotiations.<sup>78</sup> The Cardinal-Infante himself, who Pfalzburg had declared “in amplissima forma” to start the talks, wrote to Madrid eagerly waiting for signs that Charles and the Emperor would both express interest in sending delegates to Brussels. Desirous to be freed of the threat of English ships ravaging his coasts, he hoped that his brother would endorse the

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<sup>76</sup> Council of State, 27 December 1637, AGS E 2053, 15 [unfoliated].

<sup>77</sup> Voto of Olivares on England, 27 December 1637, AGS E 2053, 16 [unfoliated].

<sup>78</sup> Gerbier to Windebank, 22 January 1638, TNA SP77/28 ff.20-20v.

proceedings to guarantee their productivity and also to stir Charles to make more open show of his interest. Charles, inquiring via Windebank to the Count of Villamediana, had already expressed doubts that the Cardinal-Infante possessed the plenipotentiary powers from Madrid and had thus far proceeded cautiously and surreptitiously.<sup>79</sup> This was not the only reason a more concrete show of interest from Charles was deemed essential. The Duke of Bavaria, consistent with the shifty nature of Thirty Years War German politics, had been close to making a deal with Richelieu himself. Hearing that Charles was party to the negotiations proposed through Lorraine, however, Maximilian put the French conclusion on hold and demanded assurances from Lorraine and Pfalzburg that Charles was truly cooperating with their efforts. Fearful of losing this opportunity, Pfalzburg began begging Gerbier to get some form of assurance from Charles that would enable her efforts to be taken seriously, already dreaming of a united Anglo-Habsburg-Bavarian league.<sup>80</sup> Amidst all these glimmers of hope, Gerbier felt a certain nostalgia for his old peacemaking days in conference with Rubens in the 1620s and hoped that as in that instance, “some Miracle could be wrought now on this business.”<sup>81</sup>

Charles was extremely heartened to hear of these efforts, and the apparent readiness of Cardinal-Infante, Emperor, and even Duke of Bavaria to further explore a potential treaty. Expressing his approval via Windebank, Gerbier was instructed he could assure Pfalzburg and Lorraine that Charles gave them his full confidence and would

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<sup>79</sup> Gerbier to Windebank, 2 January 1638, TNA SP77/27 f.628. Cardinal-Infante to Philip, 22 January 1638, AGR SEG 218 ff.102-103.

<sup>80</sup> Gerbier to Windebank, 30 January 1638, TNA SP77/28 ff.27-28.

<sup>81</sup> *Ibid.*, f.29.



promise not to make any contrary treaties while they continued their mediation.<sup>82</sup> Charles also expressed hopes that the kinship between Lorraine and Maximilian would allow the Bavarian obstinacy to be overcome.<sup>83</sup> Henri Tailler, who served as the Brussels government's resident expert on English affairs, personally wrote to Windebank expressing his satisfaction that the "distance you have been at with us of late grows somewhat less by the means of His Majesties of Great Brittaines accepting the treaty propounded by the Emperor to be held in this Court for a fynaill conclusion of this heavie busines of the Palatinat" and seconded the reports of the Cardinal-Infante's and Emperor's great good will in the matter. Tailler, in a clear effort to stymie Charles's negotiations with the French, also warned that time was of the essence, saying that any delay would risk those favorably affected to the treaty being replaced by others, and that the Cardinal-Infante's plenipotentiary from Spain could be revoked if not employed.<sup>84</sup>

Bavaria was still assumed by all concerned parties to be the primary roadblock, and indeed had been consistently marked as such by the Spaniards in previous negotiations.<sup>85</sup> Nevertheless, just as Charles's previous embassies to Vienna in 1631 and 1636 had been ultimately sabotaged by the Spaniards' insistence that any treaty contain provisions bringing England in against Spain's continental enemies, Madrid was just as likely to be a stumbling block to the proposed Brussels treaty. In addition to the usual

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<sup>82</sup> Windebank to Gerbier, 12 February 1638, TNA SP77/28 f.48.

<sup>83</sup> Windebank to Gerbier, 19 February 1638, TNA SP77/28 f.63.

<sup>84</sup> Tailler to Windebank, 13 February 1638, TNA SP77/28 ff.59-59v.

<sup>85</sup> Gerbier to Windebank, 20 February 1638, TNA SP77/28 ff.67-68.

requirement that Charles break with the Dutch, Philip also hoped to include a restoration of Dutch-occupied Pernambuco in exchange for restoring the Lower Palatinate.<sup>86</sup> Consistently seeking the most direct and effective path to security, the Cardinal Infante urged his brother to reconsider his stance:

Consider the present state of affairs and the incidents that have occurred and that while not having broken the peace with that king, so long as this business remains unresolved they are very displeased and you may see the effects of that by which your enemies are much advantaged<sup>87</sup>

Among those sharing Madrid's mind in Brussels were the ever-antagonistic President Roose and the Marquis de Mirabel, both extremely potent in the court and able to obstruct the treaty effectively. After meeting delays of this sort throughout February and March, Pfalzburg and Gerbier thus sought to enlist the aid of the Cardinal-Infante against them, and asked that the Cardinal-Infante set something down in writing so that Charles could be assured of his support. In a heated encounter, Mirabel accused Pfalzburg of blind faith in Charles who, he stated, would be just as faithless in his obligations to aid Lorraine as he had been thus far with Spain. Brushing the Marquis aside, the Cardinal-Infante promised he would submit a written proposal soon, that he did truly possess plenipotentiary powers to treat, and that he would do his best to further the treaty.<sup>88</sup> Mirabel and Roose had both continually posed the problem that Charles was unwilling to make any overtures himself, and thus sought to propagate that Pfalzburg's propositions were undertaken without Charles's permission and support. To alleviate this problem,

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<sup>86</sup> Cardinal-Infante to Philip, 28 February 1638, AGR SEG 218 f.290-291v.

<sup>87</sup> Ibid, f.291.

<sup>88</sup> Gerbier to Windebank, 24 April 1638, TNA SP77/28 ff.191-193.

Pfalzburg, for the first of many times, asked that Gerbier share his papers with the Cardinal-Infante and asked that Charles make some concrete demonstration of his approval of these negotiations, to be sent to both Brussels and Madrid.<sup>89</sup>

The intense secrecy with which Charles guarded the whole Pfalzburg treaty would be a continuous problem throughout the negotiations as it made it difficult to be assured of either party's commitment and the informality would allow important talks to be forgotten as it suited one's turn. Charles's secretiveness was perhaps rooted in a desire to save face and reputation given his concurrent participation in a conference at Hamburg with the Habsburgs' assorted enemies.<sup>90</sup> Gerbier was hotly chastised in early 1639 for not delivering an immediate denial to the French agent Augier when asked about the existence of a secret negotiation for the Palatinate.<sup>91</sup> So great was Charles's concern that the Brussels treaty be exposed that he would even go so far as to ban Alonso de Cardenas from audiences for several months on the basis of suspicions that Cardenas had leaked details into international diplomatic channels.<sup>92</sup> Cardenas's intimation of the treaty was relatively minor and ultimately proved to be merely repeated meaningless fragments he had heard from the Count of Villamediana, then at Chelsea trying to establish the

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<sup>89</sup> Ibid, ff.195-195v.

<sup>90</sup> Cardenas to Salamanca, 25 June 1638, AGR SEG 368 f.30.

<sup>91</sup> Windebank to Gerbier, 4 January 1639, TNA SP77/29 ff.7-7v.

<sup>92</sup> Hopton to Cottington, 27 October 1638, TNA SP94/40 f.277. Cardenas to Cardinal-Infante, 7 November 1638, AGR SEG 368 ff.199-201. Cardenas to Cardinal-Infante, 9 December 1638, AGR SEG 368 ff.248-255.

Flanders-England-Spain post.<sup>93</sup> Gerbier believed this and later even sponsored Cardenas's rehabilitation, something he came to regret when Cardenas subsequently obeyed his instructions from Madrid and Brussels to demand Gerbier's recall.<sup>94</sup> In fact, it was likely John Taylor's careless speeches during his circuit through central Europe were the actual means by which the news reached Richelieu.<sup>95</sup> In Spain, Charles's refusal to ever act openly in the negotiations was a source of great vexation to Olivares and the Council of State, and as a result their interest in the treaty began to dwindle.<sup>96</sup> By March 1638, it was clear that Madrid no longer feared English action as much as in 1637, and Olivares had obviously internalized Necolalde's dismissive appraisal of Charles's abilities. Reiterating his earlier assertion that the Palatinate now belonged to Spain by right of conquest and that England would have to bargain for it with something beneficial to the Habsburg cause, Olivares also stated that barring an unlikely union with Holland, "there is little cause for fear of the forces of England nor of rupture and I dare to assure myself that they will not do it."<sup>97</sup>

Inactivity marked the months of April and May, during which an Irish monk arrived from Vienna full of invective against Gerbier, who he blamed for undermining

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<sup>93</sup> Memorial of Cardenas, [undated] December 1638, TNA SP94/40 f.355. Otherwise, Villamediana refused to participate in Palatinate negotiations, deeming the English unworthy of the favor, and prompting Charles to complain to Olivares that the Count was a worthless ambassador: A.J. Loomie, "The Spanish faction at the court of Charles I," *Bulletin of the Institute of Historical Studies*, Vol.59, (1986), pp.47-48.

<sup>94</sup> Gerbier to Windebank, 3 September 1639, TNA SP77/29 f.340.

<sup>95</sup> Sharpe, *The Personal Rule*, p.828.

<sup>96</sup> Council of State, 7 March 1638, AGS E 2053, 68 [unfoliated].

<sup>97</sup> Voto of Olivares on England, 7 March 1638, AGS E 2053, 71 [unfoliated].

the treaty undertaken by Arundel, and who joining with Mirabel, Roose, and Henri Tailler set about spreading ill will against Gerbier and Pfalzburg in the court and city. Pfalzburg denounced these theatrics and their consequent demands for a public demonstration from Charles, dismissing them as a device from the treaty's opponents to gain time. She also saw the attacks on Gerbier as an effort to break the link between herself, her brother, and Charles.<sup>98</sup> Pfalzburg's faith was unshaken by these efforts for the Cardinal-Infante had delivered a letter to her saying that he was still firmly supporting the treaty.<sup>99</sup> Notwithstanding this pledge, the opponents of the treaty gained the upper hand and produced a list of conditions for restitution which seem to have been designed to be rejected. Among the provisions, Prince Charles Louis would be obligated to marry a Catholic wife, raise Catholic children, and establish the Catholic religion in the Palatinate. Furthermore, any restitution would include only Heidelberg and its environs, with the restoration of the rest dependent on Habsburg victory in the war. Apart from these already steep requirements, the proposal also stipulated that Charles recall all English and Scottish soldiers in Dutch and Swedish service and declare war on France until the Duke of Lorraine could be restored to his own territories.<sup>100</sup> The final provision elicited sharp protests from Pfalzburg and Lorraine who perceived it as Mirabel's attempt to portray them as grasping and drive a wedge between them and Charles. She and her brother, the princess declared, believed that Charles "being satisfied on point of the

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<sup>98</sup> Gerbier to Windebank, 29 May 1638, TNA SP77/28 ff.271-271v.

<sup>99</sup> *Ibid.*, f.273.

<sup>100</sup> Gerbier to Windebank, 5 June 1638, TNA SP77/28 f.288v.

Palatinate the Dukes of Lorraine might hope on his Majestie good offices.”<sup>101</sup> Charles was predictably outraged at these conditions, and rejected them *in toto*. Perceiving the weakness of his position in part due to his unwillingness to appear publicly as a participant in the negotiations, Charles promised Pfalzburg that he would send a letter to the Cardinal-Infante commending her and to “aske in plaine termes why the negotiation begunne by the Duke of lorraine & Princesse Phalsbourg touching the Palatinat advanceth not” and sent her further assurances that she had his full support and that he was not undertaking any alternate negotiations to her detriment.<sup>102</sup>

Whether in response to Charles’s display of intent, or arising out of his own desire to see the issue resolved, in July the Cardinal-Infante in conference with Pfalzburg delivered a new and much more agreeable set of seven articles which would become the basis of the treaty for the remainder of the negotiations. First, Charles would be obliged to enter into a league with Spain against France for the stated purpose of the recovery of Lorraine and other places in Italy occupied by French forces. Second, Spain would be charged with getting the Emperor to join in the same league. Third, the tripartite league having been formed, Prince Charles Louis would be restored to his lands and titles and the Imperial ban would be lifted. Fourth, the League would act in concert against Bavaria if Maximilian tried to oppose the Palatine restoration. Fifth, to appease Bavaria, two new electorates would be created, one of which would go to Bavaria with the other to be given to one of the Protestant princes, and Charles would be tasked with getting the

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<sup>101</sup> Ibid, f.289.

<sup>102</sup> Windebank to Gerbier, 18 June 1638, TNA SP77/28 f.307-307v.

Protestant states to recognize them. If any princes resisted the innovation, the League would employ force against them to bring them to compliance. Sixth, Charles would renounce all ties with France and all her allies. And finally, Spain, England, and the Emperor would all swear to stay bound in the League until all these stated goals had been accomplished.<sup>103</sup> These conditions are remarkable because they entail essentially the same goal for an Anglo-Habsburg alliance that had foiled the Austrian negotiations in 1631 and 1636, yet throughout 1638 and the following year, Charles was willing to pursue these as a path to the restoration of the Palatinate. Though they do not explicitly require Charles to break with the Dutch, which was always Olivares's chief object, the stipulations that Charles renounce France *and all her allies* as well as the duty to combat any who opposed the German settlement make an Anglo-Dutch rupture the calculated outcome.

When the Cardinal-Infante first proposed these, Pfalzburg balked, knowing how little Charles had appreciated such conditions before. She followed the Caroline line and insisted that the Palatinate ought to be restored on the basis of right alone, which the Cardinal-Infante dismissed as beyond countenance given how much death and war had resulted from the actions of the late Elector Palatine Frederick.<sup>104</sup> Directing a comment to Gerbier, the Cardinal-Infante said that all previous treaties had floundered due to Charles's unwillingness to take any action "for said he the busines may be spoken of many age and never be the neerer its advance except his Majestie resolve unto what

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<sup>103</sup> Pfalzburg to Gerbier, 23 July 1638, TNA SP77/28 f.376.

<sup>104</sup> Gerbier to Windebank, 24 July 1638, TNA SP77/28 f.383v.

necessary.”<sup>105</sup> Emphasizing again that he possessed plenipotentiary powers from Madrid and saying he would ask the Emperor to send a minister to Brussels, he urged that only an alliance of England with the Habsburgs against France and Bavaria would be capable of restoring the Palatinate without difficulty. To Pfalzburg’s objections that convincing Charles to break with France would be a hard sell, Prince Thomas responded that it was no more difficult than convincing Spain and Austria to break with Bavaria.<sup>106</sup>

Charles’s secretive treatment of the whole affair continued to hamper negotiations. Even as Gerbier relayed the conference regarding the Seven Articles, he assured Secretary Windebank that he would keep all record of the talks secret so as not to disrupt his other works with the Dutch intermediary Rodenberg who was there regarding the matter of the fishing passes pertaining to Charles’s sovereignty of the seas.<sup>107</sup> Pfalzburg was increasingly worried at Charles’s weak presence in the negotiations and asked Gerbier to make a trip to England hoping that without fear of interception, Charles would “more freelyer expresse him selfe by word of mouth (thouching his intention to resolve unto for the Palatinat) then by letters.”<sup>108</sup> Gerbier plainly wrote to Windebank that Charles’s reticence and his non-committal nature were directly threatening to ruin Pfalzburg’s negotiations. The Spaniards, he reported, already went about saying, “the King of England has not wanted to do anything for the Palatinate, and we will not give it

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<sup>105</sup> Ibid, f.383.

<sup>106</sup> Ibid, f.384.

<sup>107</sup> Ibid, f.385.

<sup>108</sup> Gerbier to Windebank, 31 July 1638, TNA SP77/28 f.406.



to him at such a price.”<sup>109</sup> In prior letters, Windebank had responded to the Seven Articles as “an unreasonable demande never to be granted,” but Gerbier cautioned that “these understand otherwaies, to the contrary that such a League would be most reasonable, just, pious, and glorious, since the ende thereof to procure a generall peace.”<sup>110</sup>

As if to cement this point, a Father Vivero, a Jesuit priest who had come from Spain and who “swaies these principall ministers and who seems instructed by the Marquis de Seralbo to speake cleere,” spent an evening in very frank conversation with Pfalzburg’s correspondent the Marquis de Vieuville earlier in July.<sup>111</sup> Vivero, Gerbier recorded, thought it entirely laughable that any prince should be expected to part with something which so advantaged him as the Palatinate on the basis of mere friendship with another prince or on vague declarations of right. This was why, Vivero declared, the matter had gone unresolved for nearly eighteen years by that point. The key was for Charles to approach the matter “not as supplicant, but a king” and with recognition that England “to witt, the sole counterbalance betweene the greatnes of Spaine and France.”<sup>112</sup> As such, Charles was in a remarkably advantageous position to extract concessions from whichever side he chose through either alliance or intimidation, but inactivity and timidity had thus far squandered the opportunity. For Vivero, the most concrete example

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<sup>109</sup> Ibid.

<sup>110</sup> Ibid, f406v.

<sup>111</sup> Answers of Father Vivero, 13 July 1638, TNA SP77/28 f.357. Gerbier to Windebank, 17 July 1638, TNA SP77/28 f.363v.

<sup>112</sup> Answers of Father Vivero, 13 July 1638, TNA SP77/28 f.357.

was that of the ship money fleet, which incidentally was then in its last season of credibility before the escalating Scottish rebellion would defang it. Vivero stated:

for witness hereof some yeares past when his fleete was seene in Sea like mountaynes it caused both those kinges to open their eyes for to see whether in effect he did open his for to take then his advantage pero esta flota no ha dado niedo sino a los pescados, which to say but that fleete gave feare but to the fishes<sup>113</sup>

When Vieuville inquired specifically if Spain was truly willing to restore the Palatinate and the Emperor to comply, Vivero responded emphatically in the affirmative, saying all that was lacking was for Charles to offer what Spain wanted:

he would have the Palatinat, wee the peace of Christendome, and the restitution of Lorraine with what else france hath taken since all these broiled these said he are two solide interests with which the king of Great Brittany may be the Marchant of the Palatinat, for said he in a word it is not morcell to be given but well sould<sup>114</sup>

Thus, Vivero said Charles could not hope to gain the Palatinate without consenting to the proposed league, that being “better money for to buy gloriously the Palatinat then with all the Negotiations of the world.”<sup>115</sup>

When Gerbier forwarded these remarks to London, he said that while harsh, the frankness might be helpful, “that his Majestie may theireby see how men (and even those who hould the palatinat) where att liberty judge and speake of the case and of his Majesties course.”<sup>116</sup> Gerbier was consistent throughout his tenure as English resident in Brussels in always preferring action and decision, and his exasperation with Charles’s

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<sup>113</sup> Ibid, f.357v.

<sup>114</sup> Ibid, f.358.

<sup>115</sup> Ibid, f.359.

<sup>116</sup> Gerbier to Windebank, 17 July 1638, TNA SP77/28 f.364.

unwillingness to use the ship money fleet for more than terrorizing fish was consistent throughout the period. Following up his delivery of the Vivero transcript, Gerbier stressed that the Jesuit's remarks were well founded and that Charles would need to take matters into his own hands and not trust in others to do the work for him: "But that so necessary seemes unlike to come to effect except his Majestie takes party, occasion, and time and now when all the worried eyes observe his majesties course."<sup>117</sup>

Acknowledging receipt of the Vivero discourse and Gerbier's comments on the same, Windebank wrote that Charles had been pleased by "the cleernesse & roundnesse of it" and was thus ready to declare that if Spain and the Emperor restored the Prince Palatine to his lands and titles, Charles "will freely and francly promise to enter into a league offensive and defensive with the House of Austria," though added as caveat that before being committed to war with France attempts to get the restitution of Lorraine and other places "upon reasonable conditions" would have to be exhausted first.<sup>118</sup> Nevertheless, while Charles still quibbled about being committed to a war, and even though he apparently still preferred that the restitution of Charles Louis precede the league rather than be contingent to it, that Charles was willing to enter into the league at all was a major shift from his earlier intransigence. Charles also demanded that "there being likewise in this conference mention of sureties of this league," he expected the new Emperor Ferdinand III to demonstrate his good will by immediately revoking the transfer of the Palatinate to the Duke of Bavaria made by Ferdinand II and to openly recognize

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<sup>117</sup> Ibid, f.365.

<sup>118</sup> Windebank to Gerbier, 27 July 1638, TNA SP77/28 ff.427-427v.

Charles Louis as Prince Elector Palatine, in return for which Charles “wilbe contented to enter into a league against France & Bavaria.”<sup>119</sup> Despite these promising remarks, Charles nevertheless still refused to act openly, deeming it unnecessary that Gerbier make any journey to England and stating that Gerbier’s suggestion of sending Sidney Bere into Germany to liaise with the Duke of Lorraine would be improper since it would make a “greate noyse.”<sup>120</sup>

Gerbier was obviously in agreement with Pfalzburg that his proposed journey to England would greatly aid the credence with which the Spanish ministers regarded the negotiations, and stated that Charles could trust him not to reveal any secrets. The king’s dispositions, he maintained, would not part from his lips “since the same like that of a pure virgin, not to be pronounced butt att the instant parties by reall effects prove to make good theirs.”<sup>121</sup> Pfalzburg continued to insist on this point, and Gerbier reported that others in the Brussels court agreed that it would do much to show Charles’s commitment on the matter to receive some sort of confirmation that he was truly invested in the proceedings. Clearly eager to make the trip, Gerbier said he would not act without Charles’s explicit permission, but that he would require a ship and a grant of funds for his travel expenses.<sup>122</sup> Windebank, in his response to these entreaties, seemed to agree that a visit by Gerbier would do much to promote good effects, and hoped that the Emperor

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<sup>119</sup> Ibid, f.429.

<sup>120</sup> Ibid, f.429v.

<sup>121</sup> Gerbier to Windebank, 14 August 1638, TNA SP77/28 f.441.

<sup>122</sup> Ibid, ff.442v-443.

would be willing to meet Charles half-way with the proposed renunciation of the transfer and the recognition of Charles's nephew as Prince Elector. Charles's mind, however, would not be forthcoming, since the king had gone hunting and had left no instructions for how to proceed with Gerbier's request.<sup>123</sup>

The next couple months were thus spent in the same sort of paralysis, as Gerbier, Pfalzburg, the Cardinal-Infante, and the Emperor nervously and repeatedly continued to send out feelers to confirm each other party's readiness before being themselves willing to do anything decisive. Decision ultimately came from external events, with disastrous consequences for the treaty. Prince Charles Louis and his brother Rupert had continued to participate in the campaigns of the Habsburgs' enemies and in 1638 mounted an invasion of Westphalia in concert with a force of Swedish-employed Scots. Meeting the Imperial army in battle at Vlotho in October, this "Palatine" army was completely defeated and while Charles Louis made his way back to Holland, Rupert fell into Habsburg custody. The news had an immediate effect on the negotiations, and Gerbier recognized that the possession of Charles's nephew gave the Habsburgs a distinct advantage. Vivero and Vieuville, who both continued to labor for the treaty each in their way, delivered the bad news to Gerbier that the Emperor "would not suffer at present the Infant Cardinal to proceede in the Treaty touching the Palatinate [...] and all this cause of the overthrow given to the Prince Elector Palatine his trouppes and Prince Ruperts imprisonment."<sup>124</sup> Working a "notable change" in the court, the anti-treaty party centered

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<sup>123</sup> Windebank to Gerbier, 20 August 1638, TNA SP77/28 ff.472-472v.

<sup>124</sup> Gerbier to Windebank, 30 October 1638, TNA SP77/28 ff.536-536v.

around Roose and Mirabel began pressing for Vieuville, who had been of great assistance to Pfalzburg's efforts, to be expelled from the capital.<sup>125</sup> Vieuville, one of the French exiles, was ordered out on the grounds that he was an enemy national despite the pleas of Gerbier and Pfalzburg for the Cardinal-Infante to countermand the expulsion orders.<sup>126</sup> Losing one of their most effective supporters, Gerbier and Pfalzburg felt exposed in the court, though the Cardinal-Infante continued to offer hope, saying he was waiting only for word from Madrid on how to proceed with the negotiations for the talks with the Emperor to begin.<sup>127</sup>

Running out of patience, and fearful of the changes that Rupert's capture were working in central Europe, Gerbier began pressing all the more for Charles to flex some muscle to intimidate the Spaniards into action. In late November, Gerbier asked for permission to suggest indirectly to various Brussels ministers that if the negotiations did not proceed, "I may remove from hence unto a place where his Majestie hath his ambassadors who with others are putting grevances together."<sup>128</sup> Gerbier was here referencing the Hamburg conference, where representatives from France, Sweden, the Netherlands, and many Protestant princes had gathered to discuss plans for further concerted actions against the Habsburgs.<sup>129</sup> Gerbier hoped the thinly-veiled threat would

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<sup>125</sup> Ibid, f.538.

<sup>126</sup> Gerbier to Coke, 6 November 1638, TNA SP77/28 f.546.

<sup>127</sup> Gerbier to Windebank, 13 November 1638, TNA SP77/28 ff.563-563v.

<sup>128</sup> Gerbier to Windebank, 27 November 1638, TNA SP77/28 f.578.

<sup>129</sup> For a good treatment of the conference, especially with regard to English participation, see: E. A. Beller, "The Mission of Sir Thomas Roe to the Conference of Hamburg, 1638-40," *English Historical Review* 41 (161), (1926), pp.61-77.

stir up some more interest to advance the Pfalzburg treaty. Gerbier would subsequently stress that it was “a necessity to make these conceive His Majestie can be angry” and accordingly asked permission to not only infer but to “speak bigg” and openly threaten the Spaniards with retribution if they did not give Charles what he wanted.<sup>130</sup> Gerbier was allowed this privilege within reasonable bounds, and indeed it had been Charles’s clear policy to try to goad the Spaniards where they proved unwilling. Writing to Hopton about the ongoing Hamburg talks, Secretary Windebank stated that he and Charles were not expecting any great developments to come from the talks with the French, Dutch, and Swedes but rather that England’s conspicuous participation in the conference “may open a way to a treaty betwene us & the House of Austria.”<sup>131</sup> Charles’s desire for secrecy regarding the Brussels treaty was clearly intended to preserve his credibility with the anti-Habsburg camp in Hamburg, whose interest he needed to maintain in his efforts to threaten the Spaniards.

Events were undermining these fear-mongering efforts, however, for the Scottish revolt against the imposition of the Prayer Book and the subsequent unrest of the Bishops’ Wars were becoming increasingly troublesome to Charles’s government. The Spaniards were keeping a sharp eye on these developments through Cardenas who continued to send reports of the progress of the rebellion to both Madrid and Brussels, where the Scottish crisis was immediately factored into discussions of the Palatinate

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<sup>130</sup> Gerbier to Windebank, 4 December 1638, TNA SP77/28 f.586. Gerbier to Windebank, 18 December 1638, TNA SP77/28 f.605v.

<sup>131</sup> Windebank to Hopton, 28 August 1638, TNA SP77/28 f.189v.

treaty. Writing in June of 1638, Cardenas, after discussing the efforts of Charles government to pacify the Scots and the increasingly likelihood of armed conflict against the rebels, declared, “the occasions now presenting themselves give cause to hope that this king in consideration and recompense of the restitution [of the Palatinate] will agree to that which otherwise he would refuse.”<sup>132</sup> During the period of idleness between the production of the Seven Articles and the arrival of the news of Rupert’s capture, when Gerbier complained of endless delays in the negotiations, the Cardinal-Infante was eagerly writing to Cardenas to be kept abreast of all the latest developments. In particular, the Spaniards wished to know if Charles would be obligated to send his military forces against the Scots, and thus be prevented from intervening elsewhere.<sup>133</sup> With Charles in such a weakened position, he would not be able to threaten Spain. Writing to Madrid, even as he happily reported Charles’s readiness to finally consider a league, the Cardinal-Infante believed that the Scottish crisis afforded an even greater chance to extract concessions and asked Philip “to consider whether the discussion in the matter [of the Palatinate] should return to that which passed between the Count-Duke and Don Francis Cottington and if the matter of the Palatinate should be joined to it or discussed separately.”<sup>134</sup> Furthermore, the Spaniards were already beginning to consider the ways they might exploit the Scottish crisis to their advantage by offering Charles military support. In a *voto* of mid-December 1638, Olivares expressed satisfaction at the

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<sup>132</sup> Cardenas to Cardinal-Infante, 8 June 1638, AGR SEG 368 ff.20-21.

<sup>133</sup> Cardinal-Infante to Cardenas, 18 September 1638, AGR SEG 220 f.239.

<sup>134</sup> Cardinal-Infante to Philip, 30 September 1638, AGR SEG 220 f.223v.



reports of Charles's willingness to enter into a league on the basis of the Seven Articles, but also believed everything was imperiled by the rebellion in Scotland. Olivares's greatest fear was that the rebellion would provide an opportunity for the Puritans of England to make the country a republic. Even short of this, the Spaniards were concerned that Charles would be forced to call a Parliament, "which being full of Puritans, would never consent to a war against Holland."<sup>135</sup> These trepidations would contribute directly to Olivares's decision to offer Charles military and financial aid.

By January of 1639 the treaty appeared in dire straits. President Roose, enjoying the limitless confidence of Olivares, was in Gerbier's estimation the true master of the Spanish Netherlands being "as absolute in matters of governance as the Cardinal Richelieu hath in France and more considered the Conde Duque holds the Infant Cardinal in tutelage," and had "sturred with all his correspondents to crosse the treaty both with King of Spain and with Emperor."<sup>136</sup> Calling Roose "the falsist and the wickest sprit that ever did pcesse a ministeriall body," Gerbier despaired that he and Pfalzburg could ever overcome the opposition.<sup>137</sup> Making use of his permission to use threats, Gerbier staged an elaborate dinner party in a country house outside Brussels for several important notables including the Imperial resident and the Imperial general Piccolomini where he "faigned to be overmerry" from the wine and "did lett slipp some bigg words alledging also that Elector palatine was gon to denmarke that some would

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<sup>135</sup> Voto of Olivares on proposals of Pfalzburg, 16 December 1638, AGS E 2521 [unfoliated].

<sup>136</sup> Gerbier to Windebank, 22 January 1639, TNA SP77/29 f.25. Gerbier to Windebank, 1 January 1639, TNA SP77/28 f.629v.

<sup>137</sup> Ibid, f.630.

smart who presume to crosse the Treaty.”<sup>138</sup> Promising to continue to “make usse of the liberty his Majestie gives unto me to looke bigg and do watch all occasions which may give a pretext a double entente,” Gerbier desperately sought to make the most of Charles’s dwindling political capital.<sup>139</sup> Gerbier himself had noted that Charles’s great moment to impress the Spaniards with his fleet had passed in the summer of 1637, and the Spaniards evidently shared this appraisal as they appeared genuinely unfazed by Gerbier’s “bigg” speech.<sup>140</sup>

Pfalzburg reported that all her negotiations were stalling and that she was finding herself stonewalled at every avenue. Though she had a letter from her brother testifying that the Emperor had agreed to send his plenipotentiary power to Brussels, the Cardinal-Infante claimed to have no knowledge of this, and furthermore said nothing could proceed until he had received instructions from Madrid.<sup>141</sup> That Spain was sending out feelers to France via the Marquis de Mirabel for a peace separate from the Palatine treaty also boded ill for Pfalzburg’s efforts.<sup>142</sup> When further letters from the Duke of Lorraine revealed that the Spanish ambassador in Vienna had informed the Emperor that “His Majestie maybe had att a more easy rate then on the conditions mentioned in the seven articles I heretofore specified,” Gerbier began to see the handwriting on the wall.<sup>143</sup> “I

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<sup>138</sup> Ibid, f.631.

<sup>139</sup> Ibid, f.631v.

<sup>140</sup> Gerbier to Coke, 12 September 1637, TNA SP77/27 f.359.

<sup>141</sup> Gerbier to Windebank, 29 January 1639, TNA SP77/29 f.35.

<sup>142</sup> Ibid, ff.35v-37.

<sup>143</sup> Gerbier to Windebank, 5 February 1639, TNA SP77/29 f.44.

am more sorry the Scotch affaires make that greate noise here as may well seeme the same to be partly the cause Princess Phalsbourg heares noe more of the treaty,” he wrote in February, believing that the combination of Rupert’s capture and the continually escalating Scottish crisis had left the Spaniards without any sense of urgency in reaching a settlement on the Palatinate.<sup>144</sup> Maintaining their counter-efforts, Roose and Mirabel worked against any talk of restitution, submitting a report to the King of Spain in which they stressed the military necessity of the Palatinate to the Habsburg war effort, and claimed that no restitution could be offered without crippling the movement of armies in central Europe.<sup>145</sup> Due to Roose’s close confidence with Olivares, even the Cardinal-Infante was unable to work against him. In the face of the inactivity and constant reverses, Gerbier was bitter and ready to believe “that the restitution of the Palatinat was nott a thing to be entertayned but in discourses to gaine time which they have made good by vareeing from one point to others.”<sup>146</sup>

By the end of February, it was clear to all involved that the treaty was effectively dead. Gerbier was enraged at the Cardinal-Infante who, despite possessing plenipotentiary powers to conclude an agreement had done nothing to bring the Imperial representatives to the bargaining table. To Gerbier, the Cardinal-Infante blamed the slowness of the Emperor in responding to the Seven Articles that had first been submitted to Vienna in July 1638. All Gerbier could offer in explanation was the great impact of

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<sup>144</sup> Gerbier to Windebank, 12 February 1639, TNA SP77/29 f.68.

<sup>145</sup> Gerbier to Windebank, 19 February 1639, TNA SP77/29 f.81v.

<sup>146</sup> Ibid.

Scottish crisis and the reports that the Spanish ministers in Vienna and the Emperor were in agreement that Charles could be “bought at a cheaper rate.”<sup>147</sup> Writing to Madrid, the Cardinal-Infante blamed the failure on the intransigence of the German interests, particularly that of the Duke of Bavaria. Nevertheless, he advised Philip that it was “incontestable that the King of Great Britain is more disposed [to the desired league] than he ever was before” being so afflicted with the Scottish rebels.<sup>148</sup> Gerbier did his best to dispel these opinions, such as when the Cardinal-Infante’s confessor told him “on the greate brute of imbroiles betweene England and Scotland, these needed not to reflect much on the good or ill his majestie could do unto them,” to which he reminded the confessor that Charles’s ancestor Edward III had managed to invade France while simultaneously sending 40,000 men against the Scots.<sup>149</sup> As the months progressed, however, it appeared to all that events in Scotland were too far gone, and the Spaniards, “being become more insolent then ever on the inbroiles of Scotland not sparing to expresse their gladnesse his Majestie busined within his one Center,” felt free to deal with Charles as they wished.<sup>150</sup>

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<sup>147</sup> Gerbier to Windebank, 26 February 1639, TNA SP77/29 ff.90v-91.

<sup>148</sup> Cardinal-Infante to Philip, 27 February 1639, AGR SEG 221 f.172.

<sup>149</sup> Gerbier to Windebank, 5 March 1639, TNA SP77/29 f.94.

<sup>150</sup> Gerbier to Coke, 2 July 1639, TNA SP77/29 f.266.

### III. Conclusion

Charles's disgust with the Spaniards and Emperor in the aftermath of Arundel's mission, the negotiations for a French alliance begun by the Earl of Leicester in 1636, and the maturation of the ship money fleets in the spring of 1637, offered Charles his best opportunity for the only other alternative to a negotiated settlement: war with Spain and possibly Austria also. Nevertheless, Charles proved as reluctant to break with Spain as he was to align with her. The experience of the 1625-1630 war, with its humiliating reverses and most especially the refusal of Parliament to allow Charles complete control of strategy, left Charles as committed as his father had been to the way of diplomacy and negotiated settlement. Even if Charles had been willing to go to war in 1637, he could not be certain that the ship money fleets would be enough, and he was loath to ever depend again on a Parliament. The Spaniards were just as aware of the predicament as the king himself, as Necolalde's letters from London make clear. Despite these impediments, it is certain that an action, any action, would have served Charles better than exposing his indecision for the world to see. Hawkish ministers like Gerbier and even observers like the Abbé de Scaglia or the Spanish Jesuit Father Vivero all could agree that Charles's inaction, and even worse, his ambiguity, were frustrating to friend and foe alike. In late 1634, when the Spaniards were already tiring of Charles's efforts to avoid the proto-alliance aspects of the maritime treaty, even the optimistic Hispanophile John Taylor observed "wee should never advance in the businesse of the Palatinate whilst

wee were still beginning and pulling down with one hand what wee built with the other.”<sup>151</sup>

Despite the readiness of Necolalde to dismiss Charles’s will to fight and his willingness to deal with Parliament, the Spaniards, or at least some among them, did genuinely fear the possibility of war with England in 1637-1638. It was for this reason that the Pfalzburg negotiation was entertained and allowed to proceed, while similar, earlier interventions by Prince Thomas or the Queen Mother had been ignored and discredited. The Pfalzburg affair also demonstrates the sharply different perspectives on Anglo-Spanish affairs between Madrid and Brussels. Madrid, aware only through reports like Necolalde’s, believed it had the luxury to wait out Charles’s indecisiveness and from its secure position felt that it could afford to call England’s bluff. As Gerbier related, however, opinions in Brussels held that Necolalde, and also Madrid, “seeme but acquainted att distance.”<sup>152</sup> Faced with a two-front war against France and the Dutch, and all too aware of the possible consequences of the English fleet closing off the ports and all communications with Spain, the court of Brussels was extremely eager to promote Charles’s satisfaction in the Palatinate matter. The Cardinal-Infante, representative of the interests of Brussels, was discernibly more invested in Charles’s gaining satisfaction in 1636 than was Madrid. Likewise, the Cardinal-Infante took the initiative in advancing the Pfalzburg treaty and negotiating with the Emperor. That Madrid was hindering the negotiations of Necolalde, Radolt, and Oñate with orders to delay the business in 1636 is

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<sup>151</sup> Taylor to Portland, 9 November 1634, TNA SP94/37 f.136v.

<sup>152</sup> Gerbier to Coke, 14 March 1637, TNA SP77/27 f.91v.

telling, as is the fact that the Pfalzburg treaty's greatest opponent in Brussels was President Roose, Olivares's picked man.

It was the rebellion of the Scots and the formation of the National Covenant in 1638 that decisively eliminated Charles and his fleets as a threat to the Spaniards. The shift was evident in Madrid where Hopton noted that the Spaniards believed themselves off the hook regarding the Palatinate and were hoping that Charles's efforts to extricate himself from the Scottish entanglements would send him flying into their arms.<sup>153</sup> In Brussels, the change was manifest in the collapse of the Pfalzburg treaty and the clear supremacy of Roose in local affairs, eclipsing even the Cardinal-Infante. The correlation of the Scottish crisis and the collapse of the Palatinate treaty became abundantly clear when news of the Pacification of Berwick prompted a sudden resumption of interest in furthering the project in Brussels.<sup>154</sup> The reports of Charles's adroit defusing of the crisis proved premature, and despite Gerbier's and Pfalzburg's best efforts to exploit the momentary fears that Charles "should be so soone untied handed," the matter soon returned to the withered state it had reached before the news of Charles's truce with the Covenanters.<sup>155</sup>

Nevertheless, it would be incorrect to assume as Gerbier did that Spain never intended to part with the Palatinate and was simply dragging Charles through endless negotiations to avoid giving offense through an outright refusal. In truth, Spain was

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<sup>153</sup> Sharpe, *The Personal Rule*, pp.828-829.

<sup>154</sup> Gerbier to Charles, 9 July 1639, TNA SP77/29 ff.273-273v.

<sup>155</sup> Gerbier to Coke, 9 July 1639, TNA SP77/29 f.278v. Gerbier to Windebank, 24 September 1639, TNA SP77/29 f.355v.

always ready to consider restoring the Palatinate, but was simply inflexible on the price demanded. As late as April 1639, Philip was still able to declare to his brother the Cardinal-Infante that he was willing to give up the Palatinate, but only in exchange for its “just value.”<sup>156</sup> Even the Cardinal-Infante, who had been eagerly supporting the Pfalzburg treaty, was by then convinced that, as had so offended Gerbier, Charles could be “bought at a cheaper rate.”<sup>157</sup> Writing to Madrid in June, he said he was convinced that given the state of affairs in Scotland, Charles would be open to concluding a formal alliance in addition to the desired Palatinate treaty. Echoing the firm belief of Olivares, the Cardinal-Infante believed that the realization of the English alliance would immediately bring the Dutch to the bargaining table and Flanders might finally be one step closer to peace. Noting that it would not be feasible for France to seize the Palatinate by force that year, and thus that Richelieu would not “have the King of England in dependence,” the Cardinal-Infante advised his brother that Spain’s great opportunity at last had come.<sup>158</sup> Accordingly, the Cardinal-Infante in October delivered orders to Cardenas to begin groundwork for what would develop into the great treaty negotiations of 1640.<sup>159</sup>

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<sup>156</sup> Philip to Cardinal-Infante, 9 April 1639, AGR SEG 221 f.266.

<sup>157</sup> Gerbier to Windebank, 19 February 1639, TNA SP77/29 f.81v.

<sup>158</sup> Cardinal-Infante to Philip, 22 June 1639, AGR SEG 222 f.255.

<sup>159</sup> Cardinal-Infante to Cardenas, 10 October 1639, AGR SEG 370 f.123.



## Chapter 6: The English and Irish Tercios of the Army of Flanders

Despite all obstacles and difficulties, Spain clung resolutely to the southern Netherlands and the war in Flanders remained the crucial centerpiece to all of the Count-Duke of Olivares's geopolitical calculations. Facing France, the German lands, and the North Sea, Flanders was Spain's window into European politics and the maintenance of strength in the region was essential to successfully projecting Spanish power into central and northern Europe. As the '*plaza de armas*' of Habsburg Europe, Flanders voraciously consumed men, both in its own wars with the Dutch and through contributing to battles fought elsewhere, such as the campaigns in western Germany throughout the 1620s and 1630s. While the provinces of the Spanish Netherlands themselves could and did provide large numbers of men to fill the ranks, the constant demands and costs of war, as well as the generally low reputation enjoyed by the Flemish formations, made the importation of troops from Spain, Italy, and Germany a necessity. The arrival of the Cardinal-Infante Ferdinand in 1634 at the head of roughly 15,000 Spanish, Italian, and German troops greatly bolstered the Spanish forces in Flanders, secured the state against the conspiracy of nobles associated with the Duke of Arschot, and guaranteed that the Spaniards would be able to withstand the onslaught of France's entry into the European war in 1635.<sup>1</sup> The added pressure of French attacks, which would threaten to sack Brussels in that first year of war, only increased the demands for manpower in Flanders. By 1640, the troop levels of the Army of Flanders had increased by over a third of their 1633 levels, but in the face

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<sup>1</sup> For the Nobles' conspiracy and its aftermath see Chapter 3.

of attacks from the Dutch, the French, and the Swedes the military authorities in Brussels constantly clamored for more men.<sup>2</sup> Olivares's cherished project of the 'Union of Arms' was in part an attempt to satisfy these demands, by shunting the esteemed Spanish and Italian soldiers into Flanders while also obligating even Spain's quieter territories to help foot the soaring costs of the wars.<sup>3</sup>

One of the great advantages Spain had hoped to gain from signing peace with James I in 1604 had been the opening of a new local recruiting ground in the British Isles to populate the ranks of the Army of Flanders. At the very least, the Spaniards wished to enjoy the same access as their Dutch enemies and were pleased when James at his accession to the English throne barred the dispatch of English reinforcements to the beleaguered Dutch forces.<sup>4</sup> Accordingly, the Treaty of London was followed in early 1605 by an agreement in which James allowed the recruitment of some 4,000 of his subjects from all his three kingdoms to serve in the Army of Flanders under the command of William Stanley, who had already fought for the Spaniards during the Elizabethan war.<sup>5</sup> While subject to a brief interruption due to the Gunpowder Plot in November of that same year, James nevertheless allowed the levy to proceed and would occasionally

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<sup>2</sup> Geoffrey Parker, *The Army of Flanders and the Spanish Road 2<sup>nd</sup> Ed.*, (New York, 2004), Appendix A.

<sup>3</sup> J. H. Elliott, *The Count-Duke of Olivares*, (New Haven, 1986), pp.244-248, 274-277. Parker, *Army of Flanders*, p.132.

<sup>4</sup> Paul Allen, *Philip III and the Pax Hispanica*, (New Haven, 2000), p.109. W.B. Patterson, *James VI and I and the Reunion of Christendom*, (New York, 1997), p.72.

<sup>5</sup> Grainne Henry, *The Irish Military Community in Spanish Flanders*, (Dublin, 1992), p.26. Allen, *Pax Hispanica*, p.160.

permit smaller recruiting drives to maintain the existence of the British formations.<sup>6</sup> By the reign of Charles I, the English and Irish tercios were a well-established, if small, institution in Spanish Flanders. While the British companies would never amount to more than seven percent of the Army of Flanders during the period studied here, their services were appreciated by the Spaniards and the men, particularly the Irish, enjoyed a good reputation as loyal and effective soldiers.<sup>7</sup> So eager were the Spaniards to maintain these British auxiliaries that the colonels of the English and Irish tercios were accorded the privilege of maintaining their tercios' strengths through subsequent recruitment drives. This was in contrast to the typical Spanish practice in which a colonel's tercio was automatically disbanded once attrition reduced troop levels below a standard minimum and its men reformed into other units.<sup>8</sup>

Apart from providing another important point of contact between England and Spain during the period, the soldiers of the English and Irish tercios represent a significant portion of the varied community of Charles's subjects that lived and worked in the Spanish Netherlands. Due to their position as soldiers in the army of the king of Spain and that many of them were Catholics, the relations between these men and the English government was sometimes hazy and difficult to define. In general, the English

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<sup>6</sup> Henry, *Irish Military Community*, pp.27-28.

<sup>7</sup> Parker, *Army of Flanders*, p.26, Appendix A. The Spanish were not alone in craving Irish soldiers, and there were significant Irish contingents in the Imperial armies in Germany as well as in French ranks: Pierre Carles, "Troupes Irlandaises au service de la France, 1635-1815," *Etudes Irlandaises* new series, 8, (1983), pp. 193-212. R. D. FitzSimon, "Irish Swordsmen in Imperial Service during the Thirty Years War," *Irish Sword*, 9, (1969), pp.22-31. Pierre Gouhier, "Mercenaires Irlandais au service de la France (1635-1664)," *Irish Sword*, 7, (1965), pp.58-75. Mark McLaughlin, *The Irish Brigades of France and Spain*, (London, 1980).

<sup>8</sup> Henry, *Irish Military Community*, p.27.

soldiers, even the Catholics, maintained closer contact with England and English diplomats. While some of the Irish were similarly cordial with Charles's servants, others, particularly those in the following of the Irish chieftains who had fled the Elizabethan conquest of Ireland, could be blatantly hostile. These latter would become a major source of anxiety for English ministers, especially as the Scottish crisis at the end of the decade made Charles's authority feel vulnerable throughout his three kingdoms. Their relations with each other were no less complicated. Separated into different national units by the Spaniards, the English and Irish rarely mixed and formed two distinct societies. Even within these national groupings, the officers were by no means united, and the decade is marked with their stiff competition for prestige, office, and recruiting privileges.

The trickle of recruits received by the English and Irish tercios was less indicative of Spanish demand for recruits than of yet more vacillation from Charles who consistently dithered on granting permission for recruitment due to fear of being seen as too pro-Spanish in the eyes of Dutch, French, and other observers. This made recruitment drives a painful process for the colonels and the Spanish agents in England, with the result that the Spaniards sometimes resorted to underhanded methods or covert arrangements with enterprising English officials to obtain fresh troops. The effective closures of the Milan-Brussels "Spanish Road," which occurred with increasing frequency throughout the 1630s, and the resulting difficulties in sending Spanish and Italian troops to Flanders served to make recruits from England and Ireland even more desirable for Spanish strategists. Additionally, the ill-fated attempts of Olivares to cajole England into an offensive-defensive league or at the very least obtain a firm commitment

from Charles to defend Spain's ship-based "English Road" in the Channel and North Sea only further increased their attractiveness. The demand had been increasing steadily since the French declaration of war in 1635 and peaked in 1640 after the Battle of the Downs had threatened to sever entirely the sea links between Flanders and Spain. The outbreak of rebellions in Catalonia and Portugal respectively in May and December of 1640 dramatically slashed any remaining hopes Brussels could have for reinforcements from Spain and Madrid itself was soon in sore need of fresh troops to deploy against the rebels at home. In these circumstances, the relatively untapped recruiting grounds of England and especially Ireland appeared a godsend for the Spaniards. Unsurprisingly, the attempt to obtain some 10,000 Irish recruits was a major parallel negotiation to the offensive-defensive league that the Spanish ambassadors Alonso de Cardenas and the two Marquises of Velada and Malvezzi sought from Charles's own crumbling administration throughout 1640.

### **I. The English Tercios**

Englishmen had been a fixture of the Army of Flanders since the late sixteenth century when many disaffected Catholics and adventurers crossed the Channel to bear arms on behalf of the King of Spain. At first organized into composite companies in which all British nationalities fought side by side, by 1596 the Spanish authorities began recognizing at least the three kingdoms of England, Scotland, and Ireland, and organized

the companies appropriately.<sup>9</sup> At the regimental level, however, the three nations were still organized into one *tercio* under the overall command of Colonel William Stanley. Following the peace in 1604, commissions were granted from Madrid for Thomas Howard, Earl of Arundel, and Henry O'Neill, son of Hugh O'Neill, Earl of Tyrone, to each raise a full *tercio* of English and Irish nationality respectively.<sup>10</sup> Under the Spanish military system, the colonels of each *tercio* held a contract to raise a given body of men, usually at least 1000 in number, and transport them to the required front at their own cost and by their own arrangement. Upon arrival, the colonel would receive an agreed upon payment per soldier from the Spanish crown and the *tercio* would enter royal service.<sup>11</sup> While most *tercios* in the Spanish army would be automatically disbanded once troop levels dipped below certain numbers, and the men and fortunate captains "reformed" into other formations, the English and Irish *tercios* of the Spanish army were accorded the rare privilege of continually replenishing their numbers, allowing them to continue to exist as institutions far beyond the lives of their original men and colonel-contractor.<sup>12</sup> In the Spanish order of battle, the English were regarded as secondary in precedence to the Irish *tercios*, which caused the English commanders no small amount of resentment.<sup>13</sup> This engendered a constant rivalry with the Irish troops and their commanders, who always held themselves aloof from the English and representatives of the English Crown such as

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<sup>9</sup> Henry, *Irish Military Community*, pp.60-61. Parker, *Army of Flanders*, p.42.

<sup>10</sup> Henry, *Irish Military Community*, p.62. Parker, *Army of Flanders*, pp.42-44.

<sup>11</sup> Parker, *Army of Flanders*, p.44.

<sup>12</sup> Henry, *Irish Military Community*, p.27.

<sup>13</sup> Gerbier's notes for an English Resident in Brussels, [undated] 1636, TNA SP105/13 f.80.

Charles's resident Balthasar Gerbier in the 1630s. Scots were always extremely low in number, and by 1631 did not have sufficient numbers to be organized into their own companies, much less a Scottish tercio. As a result, the English companies throughout the period would include the occasional Scotsmen and even the occasional Scottish captains.<sup>14</sup>

As with other regiments of Charles's subjects in foreign service, the English and Irish were theoretically bound to return home when ordered to do so by the King of England, as occurred with the outbreak of Anglo-Spanish war in 1625. Not all necessarily obeyed, and this would be a source of controversy between the officers and the English crown, and also among the officers themselves as they jockeyed for influence and favor.<sup>15</sup> With the peace in 1630, the English soldiers who had obeyed the call to return to England began arriving back in Flanders to resume their positions in the Spanish forces. The officers in particular were anxious to have their former rank and status guaranteed and made use of whatever connections they could to maintain it. One Captain Meed sought out Don Carlos Coloma, still in London for the signing of the peace treaty, to get Charles's authorization for his returning to duty in Flanders.<sup>16</sup> Apart from getting the king's permission to serve abroad, Meed also requested that Coloma recommend him to the Infanta Isabella, governor of the Spanish Netherlands, to assure his place in the rolls of the tercio. By mid 1631, the tercio was again fully active under the command of

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<sup>14</sup> Gerbier to Coke, 24 July 1632, TNA SP77/22 f.15v.

<sup>15</sup> William Tresham's letter, 18 December 1637, TNA SP77/27 ff.582-583.

<sup>16</sup> Coloma on behalf of Captain Meed, 13 March 1631, TNA SP77/20 f.10.

Edward Parham and numbered between eight and nine hundred men, where it would hover for most of the decade.<sup>17</sup>

The men who composed the *tercio* came from varying backgrounds, but many among the officer corps were from well-to-do English Catholic families. William Tresham, who stood as colonel of the English *tercio* for most of the 1630s, stands as an eminent example. Tresham was related to another William Tresham, one of the suspected authors of the Elizabethan Catholic pamphlet *Leicester's Commonwealth*, and was the younger brother of Francis Tresham, who had been implicated and executed in relation to the Gunpowder plot.<sup>18</sup> Henry Gage, who would eventually receive his own colonelcy in 1636, hailed from a famous Catholic family of Sussex.<sup>19</sup> Gage had arrived in Flanders from England in 1620 to take a captain's commission in the English *tercio*, and had served in that capacity under the successive colonelcies of Archibald Campbell, Earl of Argyll, Edward Vaux, and Edward Parham.<sup>20</sup> This longevity of service made Gage all the more eager for his own command, which put him at odds with Tresham throughout the decade, beginning in 1631 when the two competed to succeed Parham as colonel of the *tercio*. The other officers and many of the men of the *tercio*'s companies hailed from similar backgrounds. Reporting to Secretary Coke on the numbers and

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<sup>17</sup> Ibid. Gerbier to Coke, 24 July 1632, TNA SP77/22 f.10.

<sup>18</sup> Peter Holmes, "The Authorship of 'Leicester's Commonwealth,'" *Journal of Ecclesiastical History*, 1982, pp.424-430. Edward Falkener, "The Tresham Pedigree," *Northamptonshire Notes and Queries*, Part X, Vol.2, Northampton, 1886, p.45.

<sup>19</sup> A. J. Loomie, "Gondomar's Selection of English Officers in 1622," *English Historical Review* Vol. 88, (1973), pp.574-581.

<sup>20</sup> Gage to Windebank, 6 March 1638, TNA SP77/28 f.98.



disposition of the English formations, Gerbier mentioned that the notables were “all gentlemen, who pass their time here and do not profess to be Protestants.”<sup>21</sup> Not all the Army of Flanders’s English recruits were motivated by religious affinity. Serving on both sides of the war in Flanders were also Englishmen who bore no particular attachment to either side but simply wished to enrich themselves. In 1636, Juan de Necolalde, the Spanish resident in London, was contacted by one Jacob Asteley, who had served in Dutch armies for thirty-six years and currently commanded a company of English soldiers in one of the English regiments in Dutch service. Asteley proposed to sell Necolalde and the Spanish secrets about the fortifications and other works about the city of Nijmegen, in return for which he presented a list of demands. Principally, he wished to be accepted into the Spanish army at a rank and pay at least equivalent to what he currently held, and tellingly, also asked that the Spaniards pay off his personal debts which totaled some 24,000 ducados—roughly 6,000 pounds sterling. Additionally, he desired liberty of conscience for himself, his son, and friends who would defect with him to continue in the practice of the Protestant religion. Finally, he asked that his friend Henry Gooche be given a captain’s commission, and for himself and his troubles in arranging all this, a lump sum of two hundred pounds sterling. Offers such as these, from reputable sources, were infrequent, and the Cardinal-Infante promptly ordered Necolalde to contract the arrangement with Asteley, authorizing all the payments and administrative assignments.<sup>22</sup>

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<sup>21</sup> Gerbier to Coke, 24 July 1632, TNA SP77/22 f.15v.

<sup>22</sup> Necolalde to Cardinal Infante (with the Cardinal’s responses in margins), 23 September 1636, AGR SEG 367 ff.98-103.

The men of the English *tercio*, especially the officers, were very careful to maintain close social and political links not only with the wider English community in Flanders, but also with the court and society back home. These connections could prove extremely influential, as they did in resolving the disputed succession of the colonelcy of the *tercio* after Edward Parham's death in October 1631. No sooner was the position vacated when several officers, most notably William Tresham and a Gilbert Reresby began clamoring for it.<sup>23</sup> Gerbier was informed by Carlos Coloma that the decision was in the balance and that Brussels wished to know if England preferred Tresham.<sup>24</sup> Evidently acting at Tresham's request, Gerbier wrote to the Duchess of Buckingham, his former master's widow, to request that she implore Richard Weston, the Lord Treasurer, to send a letter recommending Tresham to the Infanta. Gerbier declared that Reresby hoped to win the colonelcy "by the helpe of many Ladies, who have much power in this court." Therefore Tresham, "whose meritts speakes for him, hath need of help and the countenance of powerfull friends in England, for whose consideration the Infanta may doe much."<sup>25</sup> Desiring all the help he could muster, Gerbier also asked that the duchess attempt to get Charles to authorize Gerbier himself to express preference for Tresham to the Infanta. Tresham, while Catholic, was in Gerbier's estimation a loyal Englishman, while his rival Reresby, "never showed any affection to his Country having from his

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<sup>23</sup> Bere to Dorchester, 5 November 1631, TNA SP77/20 f.187v.

<sup>24</sup> Gerbier to Dorchester, 6 November 1631, TNA SP77/20 f.197.

<sup>25</sup> Gerbier to Duchess of Buckingham, 30 November 1631, TNA SP105/8 p.106.

youth ben Page in this Court and soe wholly transformed & naturalized.”<sup>26</sup> Amid the contest between Tresham and Reresby, Henry Gage had also attempted to gain command of the tercio, though he was not as fortunate in his advocates. Relying on the English Catholic community of Flanders, Gage received a recommendation from the aged but still wily Richard Verstegan, an Elizabethan and Jacobean pamphleteer and antiquarian based in Antwerp. Gage had already been in service as Parham’s major, and Verstegan presented him on the basis of his credentials as a “very Catholic gentleman of excellent abilities” and in consideration of his long service record.<sup>27</sup> In the face of Tresham’s high-powered contacts, however, this support was evidently insufficient. While the position would go to Tresham, Gage would not be forgotten as the decade went on. Even with the succession dispute resolved and Tresham firmly in command of the tercio, conflicts between the English officers remained endemic to the period.

Patents were issued from Madrid in 1632 for the English formations to be reinforced to a fighting strength of 3000 men.<sup>28</sup> “They will use all the meanes they can to invite our nation to their service the people are more desirous of them then any others and generally doe speak much of their valour,” John Taylor wrote from Brussels during his extraordinary embassy, alerting Secretary Coke that he would soon see Tresham in

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<sup>26</sup> Ibid. p.109. Reresby, hailing from a Yorkshire family, had been sent to live as a page at the court of Archdukes by his father: William Dugdale, John Clay Ed., *Dugdale’s Visitation of Yorkshire with additions* (3 vol.), (Exeter, 1899), i, p.330.

<sup>27</sup> Della Faille to Infanta, 2 November 1631, AGR PEA 2017.1 [unfoliated].

<sup>28</sup> Taylor to Cottington, 14 November 1632, TNA SP77/22 f.248.

London to make suit for his levy.<sup>29</sup> Recruitment efforts were always difficult, however, in large part because Charles was reluctant to favor the Spaniards too generously in sight of the French and Dutch. As discussed in more detail later in this chapter, the result was that recruitment was sporadic and occurred mostly informally. By the end of 1633, Tresham's *tercio* still hovered around 900 in strength, far less than the 3000 Madrid had envisioned.<sup>30</sup> Enterprising officers would employ whatever means they could to gain access to Charles's officials in the hopes of permission to levy troops, even at the expense of their fellows. Gerbier sponsored one Captain Thorold on a recruitment trip to England in 1635, seconding recommendations made on the captain's behalf from the Earl of Rutland and the Duchess of Buckingham. A sign of the tight race for recruits, Gerbier informed Secretary Windebank that the young captain had previously been cheated out of an earlier patent for raising a company, "cause crost here by some of his Countrymen."<sup>31</sup> The cutthroat competition for fresh levies was only heightened when in December of 1635, Henry Gage's long service was finally recognized and a patent was issued from Madrid for Gage to assume the colonelcy of a new, second English *tercio*. The Cardinal Infante, knowing Charles's stinginess in permitting his subjects to enter Spanish service, wrote to the King of England informing him of Gage's stroke of fortune and asking that Charles allow the raising of 1000 men as a favor.<sup>32</sup> Charles would prove as miserly in his

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<sup>29</sup> Taylor to Coke, 14 November 1632, TNA SP77/22 f.246v.

<sup>30</sup> Gerbier to Coke, 2 December 1633, TNA SP77/22 f.452.

<sup>31</sup> Gerbier to Windebank, 25 July 1635, TNA SP77/25 f.242.

<sup>32</sup> Cardinal Infante to Charles, 26 December 1636, TNA SP77/25 f.341.

permission for two tercios as he had been with one, and it was not long before Tresham and Gage began looking jealously on each other's parallel efforts. While this second tercio lingered in recruitment limbo, Gage continued as Tresham's major in what must have been an uncomfortable staffing arrangement.<sup>33</sup>

When legitimate appeals to royal favor proved fruitless in resolving the shortage of recruits, neither colonel was above resorting to less savory methods. Gage had never given up hope of commanding the tercio himself after his failed bid in 1631, and in 1634 had lobbied hard to replace Tresham when a battlefield injury made Tresham's tenure appear at an end.<sup>34</sup> Gage was doubtless disappointed when Tresham recovered and resumed his command duties. The major and would-be colonel was not Tresham's only enemy among the tercio. In late 1634, a Captain George Shaw, who was a close associate of Gage and the named major of Gage's proposed second tercio, got into a quarrel with Tresham which caused both men to appeal to Gerbier for assistance. Colonel Tresham appeared first, asking that Gerbier procure an order for Shaw to return to England to provide evidence of claims he had made that the colonel had defamed the late King James in public. When questioned, Shaw denied having made any such accusation, and demanded that Gerbier force Tresham to retract the statement. In light of this, Gerbier concluded "till more likelihood of truth appears it seemes to me ressent of former disgusts betweene them," and allowed the matter to lapse.<sup>35</sup> This was not the last

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<sup>33</sup> Gerbier's notes for an English Resident in Brussels, [undated] 1636, TNA SP105/13 f.80.

<sup>34</sup> Gerbier to Coke, 30 April 1634, TNA SP77/24 f.180.

<sup>35</sup> Gerbier to Coke, 8 December 1634, TNA SP77/24 f.467v.

Gerbier would hear of Shaw, however, as the captain would resurface in connection with the larger feud between Tresham and Gage.

Further trouble for Tresham came from an unexpected source when in February 1635, Tresham's estranged wife Theodosia wrote to Charles lamenting that she was beset by creditors and in danger of losing her household. As a remedy she asked that the king order her husband to return to England to settle a property dispute and to pay her due alimony. Promising to see that justice was done, Charles passed the matter to Coke to settle.<sup>36</sup> The preceding year, a settlement had been reached in the courts for Tresham to pay Theodosia 4,000 pounds, though he had been unable to produce the funds due to the recusant Tresham family's quickly vanishing fortunes.<sup>37</sup> Tresham had maintained Theodosia with 200 pounds per annum, based on an original ruling by Archbishop Abbot in 1620. Dissatisfied with this amount, Theodosia had been suing him in court after court since that time, making the details of the case difficult to follow by 1635 when several different jurisdictions were involved.<sup>38</sup> Coke was evidently moved to sympathy, and instructed Gerbier to summon Tresham and order him to provide for his wife and to immediately depart Flanders if Tresham's physical presence in England was necessary to settle the matter.<sup>39</sup> Gerbier promptly interviewed Tresham who expressed surprise at this news, insisting that the 200 pounds annuity he had already provided Theodosia was all

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<sup>36</sup> Petition of Theodosia, wife of Sir William Tresham, 26 February 1635, TNA SP77/25 f.45.

<sup>37</sup> Falkener, "The Tresham Pedigree," p.45.

<sup>38</sup> Tresham to Secretary of State, 18 December 1637, TNA SP77/27 f.586.

<sup>39</sup> Coke to Gerbier, 5 March 1635, TNA SP77/25 f.57.

that he could manage, and that her demanded 400 was entirely beyond his means. Nevertheless, Tresham began making preparations to travel to England to put his affairs in order.<sup>40</sup>

After the 1635 summons from Secretary Coke, Tresham returned to Flanders, evidently believing the business finally settled, when in 1637 he received another angry notice from Secretary Windebank on behalf of Charles. Theodosia had written again, demanding the payment of the 4,000 pounds, which Tresham claimed he had entrusted to his brother Thomas Tresham in England to pay to Theodosia. Pleading poverty, Tresham asked that the case be tried again and remitted to the Privy Council, to Archbishop Laud, or to Lord Keeper Thomas Coventry.<sup>41</sup> Fearing for his position, Tresham was extremely loath to make any more trips out of the country. Smelling a rat, in fact two, Tresham wrote “that my goinge hom serveth only to break my regiment and to case it into Coronell Gadgs and sargeant maior Shaws hands.” Tresham further accused Gage and Shaw of having not come home during the Anglo-Spanish War of 1625-30, and that it was for that reason that Gage’s attempts to recruit for his second tercio had been denied. Furthermore, Tresham claimed that Gage, abusing his capacity as Tresham’s major had stolen for his own rosters the few hundred men Charles had consented to levy under guise of reinforcing Tresham’s tercio.<sup>42</sup> Tresham declared that he believed Theodosia’s latest complaint was made in collusion with Gage and Shaw, saying:

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<sup>40</sup> Gerbier to Coke, 23 March 1635, TNA SP77/25 ff.73-73v.

<sup>41</sup> Tresham’s statement, 18 December 1637, TNA SP77/27 f.582.

<sup>42</sup> *Ibid.* f.582v.

so soone as I received Mr Secretary Windebanks letter I sounded the death of the buisnesse for then I perceaved that the intent of that Gentleman that is theyr only amparo was that if they fayled in not being able to steal men over then by callinge for me hom they might break my regiment and soe incorporat it into thers<sup>43</sup>

Tresham said that Shaw was currently in England, staying at the house of Endymion Porter, and that Windebank could be sure he and Gage would continue trying to smuggle men out of England.<sup>44</sup> Secretary Windebank was apparently convinced by Tresham's arguments, since he wrote back to Gerbier, "for the first I am very sorry it was my misshap to take up a report from so suspected an Author as a malicious wife."<sup>45</sup> Windebank excused himself from the business, asking that Gerbier offer apologies on his behalf, which Gerbier duly performed to Tresham's great satisfaction.<sup>46</sup>

Tresham's accusations against Gage and Shaw did not go unnoticed, and Gage soon appeared at Gerbier's door with a formal defense of himself and a protestation regarding the rumors against him. Gage admitted that Shaw was in England, but denied that he and Shaw had connived to smuggle any recruits out of England, insisting that they had only pursued the matter through the legitimate channels.<sup>47</sup> Speaking to the other accusation made against him, Gage insisted that both he and Shaw had returned to England in 1626 when the English were recalled, and that their names would be recorded in Secretary Edward Conway's book for that year. While he had never explicitly

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<sup>43</sup> Ibid. f.583.

<sup>44</sup> Ibid.

<sup>45</sup> Windebank to Gerbier, 29 December 1637, TNA SP77/27 f.625.

<sup>46</sup> Gerbier to Windebank, 16 January 1638, TNA SP77/28 f.7.

<sup>47</sup> Gage to Gerbier, 26 February 1638, TNA SP77/28 f.80.



identified the culprit, Gage seemed to have no doubts as to where these accusations had originated and took pleasure in casting aspersions on Tresham's loyalty. Telling Gerbier about his actions in 1632, when the English had been sent as part of the force from Flanders to defend the occupied Lower Palatinate against the Swedes, Gage declared:

Noe man knowes better than Sir William Tressam how vehemently I opposed it, being then his sergeant major, & what earnest letters I wrote to him (which he shewed then to sergeant major Shaw and peradventure hath them yett to shew if he please) rather to quit his Regiment as I was ready to quitt my charge then ever to beare armes against any of his Majesties royall blood or neere kindred<sup>48</sup>

Gerbier continuously vouched for Gage's credibility, calling him "a very able cavallier most zealous and sincerely affectionate to his king and Patria."<sup>49</sup> This support doubtless helped Gage weather the accusations of smuggling men. Whether Gage had truly stolen away troops ostensibly for Tresham's *tercio* or not (and indeed both colonels had no qualms about smuggling men when the opportunity arose, as demonstrated later in this chapter), Tresham was in fact just as willing to sabotage Gage's recruitment efforts. One Captain Richard Pavier wrote to Gage complaining that he had been attempting to levy men in England, spending some 300 pounds of his own money in the process, but had ended up losing everything. Pavier claimed that at the critical moment, Tresham "more like an informer then a Cavallier he betrayed the leavyes I had mayd pretending impertinent by that the commission by vertue of which I raised my men, was forged."<sup>50</sup>

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<sup>48</sup> Ibid. f.81. NB: the 17<sup>th</sup> century rank of *sargento mayor* was a field officer rank which evolved into the modern rank of "major." "Major" is used throughout the text of this chapter to avoid confusion with the modern sergeant major, a non-commissioned officer.

<sup>49</sup> Gerbier to Coke, 27 February 1638, TNA SP77/28 f.82.

<sup>50</sup> Pavier to Gage, 6 November 1638, TNA SP77/28 f.551.

Ultimately, the feud between the two men was only resolved when Tresham succumbed to disease in 1639. Seeing little cause for hope that they would be filling the ranks of the long-projected second *tercio*, the Spaniards allowed Gage to succeed to the colonelcy and merged the two commands.<sup>51</sup>

Apart from their internal conflicts, the officers and men of the English *tercio* nevertheless formed a cohesive element in the public society of Spanish Flanders. Both the officers themselves and the representatives of the English Crown such as Gerbier considered them to be English above all, despite being in the service of the King of Spain. Accordingly, they could be called upon to serve as a public face of English authority in Flanders and would readily entrust themselves to the care of their sovereign in moments of crisis. When the Cardinal-Infante was en route to take over the governorship of the Spanish Netherlands in 1634, Gerbier was eager to be among the first of the foreign representatives in Brussels to appear before him, so as to incline the Cardinal-Infante to English interests. In this he was in particular competition with the resident of France, who, it was rumored, had been given orders to meet the Cardinal-Infante while still encamped at Cologne.<sup>52</sup> At this stage the maritime treaty negotiated by Juan de Neocolalde was in process and it seemed likely to many observers, especially French, that England and Spain were nearing an accord. Gerbier feared that the French resident would employ some local thugs to muscle him out of the Cardinal-Infante's entry so confided in President Roose of the Council of Brabant that "if sure the said

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<sup>51</sup> Gerbier to Coke, 21 May 1639, TNA SP77/29 f.184.

<sup>52</sup> Gerbier to Coke, 14 October 1634, TNA SP77/24 f.399. Gerbier to Thomas Liedge, [undated] October 1634, TNA SP105/11 f.130v.

French resident intends a bravado I would write to the Collonels of the Nation (his Majesties subjects) to send (against the day the Cardinal Infante makes his entry) fitt men to assist and make sure the rights of the English.”<sup>53</sup> Accordingly, Gerbier wrote to Colonel Tresham, stating his intention to greet the Cardinal-Infante at the gates of Brussels adding that he would be “glad the said Infante had seene good nombre of our nation (which fight for them when times serves) appeare on the above said occasion and for reasons better sayd then written.”<sup>54</sup> In a similar letter to a Captain Owen, Gerbier added “I wish some of our English Cavaliers shewed their clothes when most fitt to salute the said Infanta as they can their swords, and use them, when its time to fight,” stressing that he wanted the men to make a good show for the benefit of English reputation.<sup>55</sup> While the French resident did attempt to steal away in the night before the entry to meet the Cardinal-Infante at Leuven, he was denied audience. Gerbier, his coach following right behind that of the Cardinal-Infante in the cavalcade and escorted by men of the English tercio, meanwhile achieved his ends and had a productive first audience.<sup>56</sup>

In a letter to Gerbier, Tresham once stated that “your place and quality doth authorise you to take notice of all such as are the kings subjects and serve on this side, and to take under your protection such as you know doe observe their true allegiance to his Majestie,” and thus Gerbier was occasionally sought to perform intercessory services

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<sup>53</sup> Gerbier to Coke, 20 October 1634, TNA SP77/24 f.408.

<sup>54</sup> Gerbier to Tresham, 25 October 1634, TNA SP105/11 ff.129v-130.

<sup>55</sup> Gerbier to Owen, 25 October 1634, TNA SP105/11 f.130.

<sup>56</sup> Gerbier to Coke, 10 November 1634, TNA SP77/24 f.442.

on behalf of English soldiers who fell afoul of the local authorities.<sup>57</sup> In 1636, Tresham wrote to Gerbier asking for assistance for two English soldiers who had been condemned to death. One soldier had been party to robbing a chapel and the other caught making counterfeit coinage. In both cases the damage had been slight as the chapel's goods had been restored and the counterfeiting soldier had not managed to spend more than a few shillings of his product before being caught. Gerbier himself identified "extreame want & poverty the cause of their desperate actions."<sup>58</sup> Gerbier petitioned the Cardinal-Infante to show clemency to the two, stressing that they had already suffered much through a year's imprisonment, and this letter successfully obtained a postponement of the sentence while the decision was reconsidered.<sup>59</sup> While both the Cardinal-Infante and his confessor showed themselves in favor of clemency, the sentence was nevertheless carried out "hugger mugger" by an unsympathetic Auditor General, who Gerbier suspected "concieved these two poore English souldjours might be Protestants & that to make him more eager to inflict on them the rigor of the law."<sup>60</sup> While Gerbier's intercession in this case was unsuccessful, the affair does demonstrate the belief shared by both Gerbier and the officers that the men of the English *tercio* remained always under the protection of the English crown.

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<sup>57</sup> Tresham to Gerbier, 18 December 1637, TNA SP77/27 f.584.

<sup>58</sup> Gerbier to Coke, 25 April 1636, TNA SP77/26 f.135.

<sup>59</sup> Gerbier to Coke, 2 May 1636, TNA SP77/26 f.145v.

<sup>60</sup> Gerbier to Coke, 9 May 1636, TNA SP77/26 f.151.

Protection came with a sense of loyalty to the English crown as well, such as when Gerbier recruited Tresham and other English soldiers to spy on their Irish colleagues, whose loyalty was much more subject to doubt. In September 1637, acting on rumors of a Catholic conspiracy against royal authority in Ireland that involved men of the Tyrone and Tyrconnell tercios, Coke asked that Gerbier “by some dextrouse menes you may pearce into their designs and if you have no other confident amongst them, I thinck you may imploy sir william tressam to discover sumwhat of their counsels.”<sup>61</sup> Delivering the request via Mr. Skinner, the secretary of the English Merchant Adventurers at Dunkirk, Gerbier enjoined Tresham to the utmost secrecy in the matter.<sup>62</sup> Through other English soldiers and merchants, Gerbier learned that Tyrconnell’s suspicious movements and plans to go to Spain had more to do with attempting to get back-pay from Madrid than fomenting rebellion in Ireland. These reports were later corroborated by Tresham, who, in the midst of the renewed controversy over his wife’s alimony, was especially eager to please Gerbier.<sup>63</sup> The English tercios’ proud loyalty to the mother country and the Irish precedence in the Spanish army despite their reputation for sedition toward the English throne was a common complaint among the English officers, who would occasionally press Gerbier to solicit a rearrangement of the order of battle.<sup>64</sup> Such a reordering, however, was never high on England’s list of priorities, and

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<sup>61</sup> Coke to Gerbier, 6 September 1637, TNA SP77/27 f.366.

<sup>62</sup> Gerbier to Tresham, 25 September 1637, TNA SP105/14 f.156.

<sup>63</sup> Gerbier to Coke, 3 October 1637, TNA SP77/27 f.416. Gerbier to Coke, 17 October 1637, TNA SP77/27 f.442.

<sup>64</sup> Tresham to Gerbier, 4 April 1640, TNA SP105/17 f.121.

Charles's scant support of the English tercios' recruiting efforts compounded the problem by guaranteeing that the English were always a minority relative to the Irish. Furthermore, as Secretary Coke's request for information on the Irish colonels demonstrates, England had more pressing concerns about the Irish troops than their place in the order of battle.

## II. The Irish Tercios

Enjoying a continuous history longer than their English counterparts, the Irish troops in Flanders had been a fixture of Spanish armies in the region since the final decades of the sixteenth century. The first organized levy of Irish occurred in 1586, but both before and after, the ports of Flanders and Spain were host to a wide range of Irishmen offering their services to the King of Spain.<sup>65</sup> The Nine Years War in Ireland, and the extension of the Anglo-Spanish War into Irish politics, had helped to build a bond between Spain and Ireland based on Spanish monetary support for Irish rebels and Irish troops to bolster Spanish armies.<sup>66</sup> The flow of men from Ireland to Spanish military staging areas did not cease after Lord Deputy Mountjoy's victory over the Gaelic lords in 1603. Mountjoy himself encouraged the exodus, assuring London that the exportation of

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<sup>65</sup> Henry, *Irish Military Community*, pp.43-45. Brendan Jennings, *Wild Geese in Spanish Flanders*, (Dublin, 1964), pp.3-4.

<sup>66</sup> See: Cian O'Sceá, "The significance and legacy of Spanish intervention in West Munster during the battle of Kinsale," Thomas O'Connor and Mary Ann Lyons, Eds., *Irish Migrants in Europe after Kinsale*, (Dublin, 2003), pp.32-63. John Silke, *Kinsale, the Spanish intervention in Ireland at the end of the Elizabethan Wars*, (New York, 1970). Silke, "Spanish intervention in Ireland, 1601-2," *Studia Hibernica*, 3, (1963), pp.179-190.

Irish soldiery equated to the banishment of potential rebels.<sup>67</sup> For the displaced Gaelic lords who famously departed Ireland in the “flight of the earls” in 1607, the Spanish army of Flanders represented a “nursery of arms” in which to train Irishmen into an army with an eye towards an eventual return to their ancestral lands.<sup>68</sup> Hugh O’Neill, Earl of Tyrone, in particular viewed the Irish *tercio* as a means to maintain his family’s prestige and eminence within Gaelic Irish politics.<sup>69</sup> While Irish had served in designated and exclusive Irish companies since 1596, the post-war creation (along with Arundel’s English *tercio*) in 1605 of a designated Irish *tercio* was done with favor to Hugh, and his son Henry O’Neill was granted the colonelcy of what would become known as the Tyrone *tercio*.<sup>70</sup>

The Irish soldiers were valued not only for their martial effectiveness but also for their famed reputation for Catholic orthodoxy, which the Spaniards felt made them especially trustworthy against the Protestant Dutch.<sup>71</sup> So greatly were they esteemed by the Spaniards that the Tyrone *tercio* was granted the privilege to remain in standing during the Twelve Years Truce at a strength of 1,000 men, in a time when most other

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<sup>67</sup> Ibid. pp.26, 34-37.

<sup>68</sup> Jerrold Casway, *Owen Roe O’Neill and the Struggle for Catholic Ireland*, (Philadelphia, 1984), pp.11-16.

<sup>69</sup> Henry, *Irish Military Community*, pp.125-129. The politics of the Irish chieftains often involved conflict among themselves as well: Karin Schuller, “Irish Migrant Networks and Rivalries in Spain,” O’Connor and Lyons, Eds. *Irish Migrants in Europe after Kinsale*, pp.88-103.

<sup>70</sup> Ibid. pp.60-62. Jennings, *Wild Geese*, pp.4-5.

<sup>71</sup> Henry, *Irish Military Community*, p.103.

formations, including the English *tercio*, were disbanded to save on maintenance costs.<sup>72</sup> When war resumed the Spanish made another large levy with King James's permission in 1621.<sup>73</sup> While recruitment was impaired by the Anglo-Spanish War of 1625-1630, no sooner had the peace been signed when the Spaniards began attempting to procure fresh permits from Charles for carrying out levies in Ireland. Through Juan de Neocolalde, Spain negotiated permission to raise at least 4,000 men for the Army of Flanders, which Philip specifically requested be Irish.<sup>74</sup> These recruits bolstered the Spanish position in Flanders as Spanish formations were sent to confront the French in the Mantuan succession war, and the excess units were organized in 1632 into a second Irish *tercio* under the command of Hugh O'Donnell, Earl of Tyrconnell.<sup>75</sup> This Tyrconnell *tercio* thus took its place alongside the Tyrone *tercio*, by then under command of John O'Neill, Earl of Tyrone, the Colonel Henry's son.<sup>76</sup>

In 1634 two additional *tercios* were in service under the command of Owen Roe O'Neill and Thomas Preston.<sup>77</sup> Preston, of Old English heritage, had previously served as Hugh O'Donnell's major, and had been awarded the patent for his *tercio* in 1631,

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<sup>72</sup> Ibid. p.65. For the formation of this Irish establishment in Flanders and its interactions with the Spanish authorities during the Jacobean era, see: Grainne Henry, "'Wild Geese' in Spanish Flanders: the first generation, 1586-1610," *Irish Sword*, 17, (1989), pp.189-201. Grainne Henry, "The emerging identity of an Irish military group in the Spanish Netherlands," Comerford, Cullen, Hill, and Lennon, Eds., *Religion, Conflict, and Coexistence in Ireland*, pp.53-77.

<sup>73</sup> Ibid. p.45.

<sup>74</sup> Stradling, *The Spanish Monarchy and Irish Mercenaries*, (Dublin, 1994), pp.23-24.

<sup>75</sup> Jennings, *Wild Geese*, p.7.

<sup>76</sup> Infanta to Philip, 27 January 1632, AGR SEG 204 f.254. Council of State, 8 November 1632, AGS E 2046,1 [unfoliated].

<sup>77</sup> Stradling, *Spanish Monarchy*, p.25.



though had been unable to begin recruitment until three years later.<sup>78</sup> Owen Roe O'Neill was a cousin of John O'Neill and had served as the Tyrone *tercio's* colonel during the Earl's minority until 1625.<sup>79</sup> Owen Roe, even more than his cousin, embodied the anti-English spirit and long-term rebellious plans of the late earls Hugh and Henry.<sup>80</sup> By 1635, Necolalde reported that roughly 6,000 Irish had crossed into Flanders.<sup>81</sup> Gerbier recorded the numbers of Irish in 1636 as between 4 and 5,000, the Tyrone and Tyrconnell *tercios* each standing at about 800 men, Owen Roe O'Neill's at a staggering 2,500, and Thomas Preston's indeterminate as it was still in the process of conducting its levies.<sup>82</sup> This marked a dramatic increase over the numbers in 1633, when Gerbier recorded Tyrone's *tercio* at 400, Tyrconnell's at 600, and O'Neill's at 1,800, a testament to the effectiveness of the colonels' efforts and the comparatively simpler process of recruiting men from Ireland which contrasted with the headaches endured by Tresham and Gage.<sup>83</sup>

As the decade wore on the demand for Irish soldiers continued to grow. "They are put to very hard shifts for men, and there are none that have a greater reputation then the Irish, soe as I knowe they will use all meanes both above board & under to have them," Walter Aston, Charles's ambassador, wrote from Madrid in 1637. Charles's

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<sup>78</sup> Gerbier to Coke, 19 June 1632, TNA SP77/21 ff.254, 270. Gerbier to Coke, 23 March 1635, TNA SP77/25 f.89.

<sup>79</sup> Jennings, *Wild Geese*, p.5.

<sup>80</sup> Casway, *Owen Roe O'Neill*, pp.22-43.

<sup>81</sup> Jennings, *Wild Geese*, p.29.

<sup>82</sup> Gerbier's notes for an English Resident in Brussels, [undated] 1636, TNA SP105/13 f.80v.

<sup>83</sup> Gerbier to Coke, 2 December 1633, TNA SP77/23 f.452.

ministers had quickly learned that granting permits for levies was one of the surest ways to Spain's heart. Spanish residents such as Necolalde made sure to express the gratitude of both Madrid and Brussels whenever Charles was moved to allow recruiting in Ireland, and in the context of the Palatinate negotiations and longed-for Anglo-Habsburg league, Irish troops made for an excellent negotiating tool.<sup>84</sup> In 1633, a levy of Irish set to depart for Flanders was stopped at the last minute for want of royal permits. When Olivares angrily protested the stoppage to Arthur Hopton, Hopton pointed out Spain's slowness to intercede in the Palatinate business and Spain's recent failure to restore Frankenthal to English custody before its capture by the Swedes.<sup>85</sup> Spain's need for the troops at this time was especially dire as Madrid considered the presence of stalwartly loyal Irish as a necessity to prevent a general revolt from occurring in Flanders.<sup>86</sup> The gravity of that moment could not have been lost on England, since Charles and his secretaries were intimately aware of the distempers in Flanders through Gerbier's participation in the conspiracy of the "Free Catholic States."<sup>87</sup> English ministers also considered using recruits as a reward as well as a punishment. In early 1637, just after the Earl of Arundel's disgusted departure from the Imperial court regarding the Palatinate matter, Aston suggested offering the Spaniards some Irish in exchange for better results in

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<sup>84</sup> Necolalde to Weston, 2 June 1633, TNA SP94/36 f.282.

<sup>85</sup> Hopton to Coke, 6 June 1633, TNA SP94/36 f.291.

<sup>86</sup> Council of State, 3 December 1632, AGS E 2046, 3 [unfoliated]. Council of State, 26 February 1633, AGS E 2047,1 [unfoliated].

<sup>87</sup> See Chapter 3.

Germany.<sup>88</sup> While Aston expressed the hope “I could wish they were assured (which I doe endeavour) that a man cannot pass out of Ireland unto them by stealth, & without his Majestie gave way there unto” to further the leverage of recruiting licenses, he and the Spaniards both knew there were other ways of obtaining Irish.<sup>89</sup>

Apart from various contrived means, discussed more fully later, there were always a ready number of volunteers for the Spanish cause that would find their own way to Flanders. Many of the officers fell into this category. For example, in August 1631, one Terence “Oshiridan” had traveled to Madrid to offer his services to Philip. Coming from a family that had already earned merit with the Spanish army, and in recompense for the family being rendered landless in the aftermath of the Nine Years War, Philip granted the man a sum of six crowns and asked that the Infanta provide him with a suitable rank and posting at the earliest opportunity.<sup>90</sup> These men’s services were not only limited to the Irish tercios. A Eugene O’Neill, who had been given a similar arrangement to Oshiridan, was impatient at waiting for a vacancy to gain a command and asked instead to be assigned immediately to an available company in any of the other tercios. The Council of State in Madrid granted his request, evidence that Irish were deemed compatible with any place in the Habsburg armies.<sup>91</sup> The rank and file of the tercios often appeared with just as much personal initiative. In response to a request from

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<sup>88</sup> Aston to Windebank, 7 January 1637, SP94/38 f.257. See also, Chapter 5, I.

<sup>89</sup> Ibid.

<sup>90</sup> Philip to Infanta, 22 August 1631, AGR SEG 204 f.88.

<sup>91</sup> Council of State, 14 June 1632, AGS E 2046, 6 [unfoliated].

Secretary Coke to identify the sources of the Irish filling the ranks of the tercios in Flanders, Gerbier reported that “the great many of them” would depart from Ireland for various ports of France, including Dieppe and Calais and even as far afield as Bordeaux and La Rochelle, before finding their way to Spanish Flanders.<sup>92</sup>

Because of the quasi-legal status of many of the Irish, the English government asked Gerbier to keep a close watch on their doings. Accordingly, Gerbier would periodically update the English secretaries about the deployments of the various Irish tercios, principally to keep London informed on the whereabouts of the officers and men, but also with some degree of pride in the martial accomplishments of Charles’s subjects.<sup>93</sup> Thus Gerbier reported with satisfaction when the Irish and English tercios performed well in the field against the enemy during the French attempt toward Brussels in 1635, particularly as the Irish were instrumental in the capital’s defense at an engagement fought near Leuven.<sup>94</sup> While he evidently believed their military exploits benefitted their sovereign’s reputation, Gerbier’s and the English government’s relations with the Irish was often strained. This was mainly due to the large numbers of dispossessed Gaelic Irish and Old English nobles among the officers, some of whom even believed themselves free of any allegiance to the English crown.

Some Irish were hopeful their connections with Spain could alleviate their problems with the English crown, such as one Hugh O’Brien, who wrote to the Infanta in

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<sup>92</sup> Gerbier to Coke, 19 June 1632, TNA SP77/21 f.254.

<sup>93</sup> Gerbier to Coke, 24 July 1632, TNA SP77/22 f.10. Gerbier to Coke, 23 September 1633, TNA SP77/23 f.346.

<sup>94</sup> Gerbier to Coke, 29 June 1635, TNA SP77/25 f.207v.

1633. Then a captain in the Tyrone tercio, O'Brien recounted to the Infanta his long service in Spanish arms and that of his father Phelim MacFircha who had served Philip III's interests in the Nine Years War. His request was that she intercede with Charles to permit O'Brien to inherit his family estates, which had been forbidden by the royal officers in Dublin.<sup>95</sup> They were not always fixated solely on their ancestral lands in Ireland for the Earl of Tyrone in mid-1635 even expressed his interest in taking some of the Flemish lands confiscated from the Prince of Espinoy for that nobleman's participation in the Free Catholic States conspiracy.<sup>96</sup> Another émigré hoping to recover some of his family's prestige was Dermot O'Mallun, who claimed the title Baron Glean-O'Mallun. His family had been exiled to Flanders for having taken up arms against England in Philip III's time, and Dermot even had the Infanta Isabella as his godmother. Trusting in her aid, he in 1631 requested an increase in his annual pension, citing his lost lands in Ireland, and the Infanta complied.<sup>97</sup> Despite his dispossession, when the Irish Parliament was convened in 1634, O'Mallun presented Gerbier with a written excuse for his inability to attend.<sup>98</sup> Not amused, Coke instructed Gerbier that he was not to do anything to encourage the Baron's pretensions, and advised Gerbier to keep O'Mallun under observation if Gerbier saw fit.<sup>99</sup> Far from being a threat, however, Gerbier replied that O'Mallun was peaceable enough and desirous that the Queen Henrietta Maria might

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<sup>95</sup> O'Brien to Infanta, [Undated] 1633, HNSA PC 65 f.100.

<sup>96</sup> Contents of Letters from Flanders, 11 and 12 July 1635, AGS E 2050, 85 [unfoliated].

<sup>97</sup> Finances to the Infanta, 6 November 1631, AGR CF 848 f.30.

<sup>98</sup> Gerbier to Coke, 14 July 1634, TNA SP77/24 f.294.

<sup>99</sup> Coke to Gerbier, 21 July 1634, TNA SP77/24 f.301v.

sponsor him to take a place in the court in London.<sup>100</sup> While his desires were ignored, O'Mallun had done well for himself in Spanish service, and Gerbier later wrote of him "(who partly a Pirate) was made in Spaine of the Order of St Jacques Collonel of a Spanish regiment and Commander of two Baracks."<sup>101</sup> The family was still in Spanish service in 1641 when the son Alberto Glean-O'Mallun asked Cardenas for a passport to pass to Spain via England.<sup>102</sup>

The English government was not always cold to the appeals of the Irish, however, especially when intervention allowed the crown to gain leverage against more tenuously loyal elements within the Irish community in Flanders. Captain John Butler, of the tercio of Owen Roe O'Neill, was imprisoned for disobeying orders and threatened with the loss of his commission in 1640. He appealed the case to Gerbier and the English resident promptly interceded for him with the Auditor General and the Superintendant of the Army. The auditor proved unsympathetic and condemned Butler for his alleged insubordination, but the Superintendant, Gerbier wrote, "saith to reflect on my intercession and not ledd to beleeve the Colonell in all bycause his proceedings against Butler are with much animosity."<sup>103</sup> Nevertheless, the superintendant confided that the forces arrayed against Butler in army circles were powerful and thus Gerbier concluded "iff the captayne hath friends in England they shall doe well to procure iff they can his

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<sup>100</sup> Gerbier to Coke, 28 July 1634, TNA SP77/24 f.311.

<sup>101</sup> Gerbier to Coke, 3 October 1637, TNA SP77/27 f.416v.

<sup>102</sup> Cardenas to Salamanca, 24 January 1641, AGR SEG 372 f.14.

<sup>103</sup> Gerbier to Windebank, 3 March 1640, TNA SP77/30 f.87.

Majesties letters in his favour since right needed good helpe.”<sup>104</sup> Later that month, Gerbier wrote to confirm that Butler had been released and the charges against him dropped, a result obtained in part by virtue of a letter in the captain’s defense sent from Thomas Wentworth, Earl of Strafford, to whom the Spaniards owed much for their levies in Ireland.<sup>105</sup> Following up on this, Gerbier wrote to Colonel Owen Roe O’Neill on behalf of Charles to chastise him for his rough treatment of Butler. Sparing no strong words, Gerbier cautioned O’Neill that

His majestie hath taken particular notice of his sufferings & I have recieved his Commands by my Lord Lieutenant of Ireland (the Earle of Straford) & right Honorable Mr Secretary Windebank touching him, And therefore I must tell you that when any man doth continue to persecute the said Captain its noe lesse but banding indirectly against a great King whose hands can not be shortened on any subject soever<sup>106</sup>

This warning was coupled with a further thinly-veiled threat reminding O’Neill that as commander of a tercio of Charles’s subjects, the king could order them all to return to Ireland at any moment, thus depriving O’Neill of his command and power.

The affair between Butler and O’Neill prompted the English colonels to both lodge complaints with Gerbier, citing it as example of Irish tendency to ill discipline and disloyalty. This was the cause of Gage’s petition for Charles to demand the Spanish alter the order of battle to place the English ahead of the Irish in prestige and honor.<sup>107</sup> An

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<sup>104</sup> Ibid.

<sup>105</sup> Gerbier to Windebank, 17 March 1640, TNA SP77/30 f.108v. Gerbier to Strafford, 24 March 1640, TNA SP105/17 f.78v.

<sup>106</sup> Gerbier to O’Neill, 19 April 1640, TNA SP105/17 f.127.

<sup>107</sup> Gerbier to Windebank, 14 April 1640, TNA SP77/30 f.139.

identical petition came from a younger William Tresham, the then-deceased colonel's nephew, who sneered at Ireland as a "Country which hath bin these 500 year without control."<sup>108</sup> Moments like these illustrated the separation and, at times, animosity that existed between the English and Irish military communities in Flanders. "The Irish are extreame close and suspitious soe allienated from the English as I have observed (since my being here) thy live att distance like Ennemis," Gerbier wrote in 1635, noting the little use his contacts among the English soldiers and merchants had been in his efforts to keep tabs on Tyrone's and Tyrconnell's affairs.<sup>109</sup> The two communities rarely interacted though on occasion they were obliged to fight together, such as when Owen Roe O'Neill was granted temporary command of several English companies during the French attacks in 1635 while Tresham was absent seeing to the suits of his wife.<sup>110</sup> The Irish in general, and the colonels in particular, also held themselves aloof from Gerbier. "The Irish ill affected to England, all which except Preston never visited me, but on the contrary when mett me shunned to salute me," he wrote in 1636, cautioning any future English agent in Brussels to be wary of Tyrone and Tyrconnell especially.<sup>111</sup> Preston stood apart from the others perhaps because of his Old English background, and his opposition to the consistently anti-English culture fostered in the *tercio* by Owen Roe O'Neill was

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<sup>108</sup> Tresham to Gerbier, 4 April 1640, TNA SP105/17 f.121.

<sup>109</sup> Gerbier to Windebank, 12 October 1635, TNA SP77/25 f.292.

<sup>110</sup> Gerbier to Coke, 18 May 1635, TNA SP77/25 f.148v.

<sup>111</sup> Gerbier's notes for an English Resident in Brussels, [undated] 1636, TNA SP105/13 f.80v.



noted.<sup>112</sup> O'Neill's *tercio* was not unique in these sentiments, and many Irish felt little conflict when given orders prejudicial to England. In 1636, Aston was scandalized to learn of Irish troops returning to Spanish ports after having participated in the extirpation of English settlers from Tortuga in the West Indies.<sup>113</sup>

As worrisome as such attacks on the English periphery were, English ministers were much more concerned with any rumors of a revival of the Hispano-Irish alliance of the Nine Years War. “wee have found, and shall ever finde that when they intend us harme it wilbe by Ireland, where they could doe us litle, but for the Irish they have in their service, by whose meanes they maintaine a party there,” Hopton had warned in 1633, pointing out the main drawback to permitting large-scale levies of Irish. While the Elizabethan Lord Deputy Mountjoy had famously encouraged the exportation of Irish soldiery to the Continent as a means to help pacify the kingdom at home, even citing the low rates of return of those Irish who departed, London was forced to remain constantly vigilant against any plots or conspiracies among the diaspora.<sup>114</sup> The Irish republican maxim “England’s difficulty is Ireland’s opportunity” proved as apt in the seventeenth century as the twentieth. Indeed, throughout the reign of Philip III, Hugh O’Neill, Earl of Tyrone and Owen Roe O’Neill had both constantly petitioned Madrid with various plans

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<sup>112</sup> Henry, *Irish Military Community*, pp.142-143.

<sup>113</sup> Aston to Pembroke, 5 March 1636, TNA SP94/38 f.57.

<sup>114</sup> Henry, *Irish Military Community*, pp.34-37.

to land an expedition in Ireland.<sup>115</sup> During the 1625-1630 war, plans to invade Ireland were seriously considered in Madrid and Brussels, the Infanta even suggesting building a fleet of galleys in the North Sea to transport men to the Irish coast.<sup>116</sup> The plan was alternately approved and postponed through 1627, and attracted the enthusiastic support of the earls of Tyrone and Tyrconnell and the Archbishop of Tuam, all of whose support and participation were deemed crucial by the *arbitristas* to ensure the Irish population's adherence to any intervention.<sup>117</sup> Ultimately, costs and logistical problems would cause the project to be discarded, but the threat to England remained credible.<sup>118</sup>

Central to the prospective invasion plans of 1625-1628, John O'Neill and Hugh O'Donnell remained highly influential in Spain's relations with the Irish community both in Ireland and Flanders and were seen by the Spaniards as the Irish nation's natural leaders. They were occasionally called upon to play this role in some acts of political theater for the benefit of the Spaniards. In early 1635, reports surfaced that the French were attempting to convince the Irish tercios to defect *en masse* to the French army on the eve of the Franco-Spanish war. To counter this threat, the Cardinal Infante wrote to Philip suggesting that he take steps to secure the continued loyalty of Tyrone and

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<sup>115</sup> Casway, *Owen Roe O'Neill*, pp.20-21. For a more comprehensive picture of the Irish lobby at the Spanish court during the Habsburg era, see: Igor Perez Tostado, *Irish Influence at the Court of Spain in the Seventeenth Century*, (Dublin, 2008).

<sup>116</sup> Philip to Infanta, 19 September 1625, AGR SEG 193 f.126. Infanta to Philip, 5 November 1625, AGR SEG 193 f.173.

<sup>117</sup> Advertencias del Arzobispo Tuamense tocante a la empresa de Irlanda, [undated] 1627, AGR SEG 301 [unfoliated]. Philip to Infanta, 27 December 1627, AGR SEG 197 f.410.

<sup>118</sup> Casway, *Owen Roe O'Neill*, pp.32-36.

Tyrconnell, “and by their hand keep the devotion of that nation.” The two earls would publicly affirm their allegiance to Spain and simultaneously exhort the men under their command to stay firmly in the Spanish camp.<sup>119</sup> The English were likewise aware of Tyrone’s and Tyrconnell’s importance in Spanish affairs, and thus Gerbier was given instructions to keep a close watch on them and their whereabouts. When Tyrone was mysteriously reported as being absent from Flanders in 1635, Charles had orders sent to Gerbier to verify the reports and, if necessary, learn Tyrone’s business. Making inquiries with military officials in Brussels and some officers of the Irish companies, Gerbier discovered that Tyrone had been involved in a command precedence dispute with a colonel from one of the Walloon tercios and had thus retired to his country house with his wife.<sup>120</sup> Still not satisfied, Secretary Windebank sent Gerbier another battery of questions regarding Tyrone’s recent movements with particular interest in any recent trips to Spain. Gerbier referred the matter to one Captain Carr, a Scottish captain in Tyrone’s tercio who Gerbier declared honorable and trustworthy.<sup>121</sup> While Tyrone’s business in 1635 was innocuous enough, making Charles’s and Windebank’s questioning look like paranoid excess, incidents such as these demonstrate the level of concern the Irish colonels engendered in London.

Insecure because of the nascent rebellion in Scotland, in 1637 Charles and Windebank were again worried about rumors of plots involving Tyrone and Tyrconnell.

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<sup>119</sup> Cardinal Infante to Philip, 15 February 1635, AGR SEG 212 f.170.

<sup>120</sup> Gerbier to Windebank, 12 October 1635, TNA SP77/25 ff.292-293.

<sup>121</sup> Gerbier to Windebank, 26 October 1635, TNA SP77/25 f.302.

The result was the instruction to Gerbier which led to the employment of Tresham to spy on the Irish colonels discussed previously. In keeping with Tresham's pronouncement that Tyrconnell intended to travel to Spain, Gerbier noted that the Tyrconnell tercio had been much depleted in recent actions, and the earl also "saith will shun England, his mistrust a common guilt of the Irish, who seeme most to turn renegates by forrayne services."<sup>122</sup> When word appeared that Tyrone also would be going to Spain, the movement of both the influential earls reignited Gerbier's suspicions and he wrote further that he would be making inquiries about any activities of Jesuits among the Irish, "bellowes to such coales."<sup>123</sup> The English were given greater cause for alarm in early October when Gerbier reported that Tyrconnell "hath att severall times made many propositions off great services could do to Spaine to make strong parties amongst those of Ireland discontented and said oppressed," and would be travelling soon to Spain via Germany, Trent, and Venice. While a Spanish Jesuit in Flanders was reported as saying Tyrconnell was but a "yongbrained cavallier" who he doubted could perform any real service to Spain, Gerbier nonetheless suggested that Coke instruct Charles's ambassadors, the Earl of Denbigh in Venice and Walter Aston in Madrid, to keep watch for the Irishman's passing.<sup>124</sup> Gerbier's acquaintance, the affected Baron Glean-O'Mallun although "scruppullous tender of conscience to speak of this Jong cavalliers

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<sup>122</sup> Gerbier to Coke, 26 September 1637, TNA SP77/27 f.402v.

<sup>123</sup> Gerbier to Coke, 26 September 1637, TNA SP77/27 f.406.

<sup>124</sup> Gerbier to Coke, 3 October 1637, TNA SP77/27 f.416.

Journey, least some mischance might happen unto him,” assured Gerbier that Tyrconnell had some great duty awaiting him in Spain.<sup>125</sup>

Tyrconnell tarried in Flanders for the remainder of the year, ostensibly for want of money to pay for the trip and Gerbier reported the earl had been heard to say he would consider retiring to England if he could get a pardon.<sup>126</sup> The question of Tyrconnell’s errand became clear after the new year, when orders were published for Tyrone’s and Tyrconnell’s tercios to both go to Spain, with some speculating they would be sent across the Atlantic to participate in a recapture of Dutch-occupied Pernambuco.<sup>127</sup> In May, Aston reported when Tyrone and Tyrconnell both arrived with a force totaling 20 companies at A Corunna, and an English agent in the port subsequently confirmed that they were to be deployed to the French frontier to participate in the defense of Fuenterrabia.<sup>128</sup> These plans were slow coming to fruition, however, and in July Hopton reported they were still at A Corunna, reopening doubts as to their purpose and destination.<sup>129</sup> This uncertainty was felt by Tyrone and Tyrconnell themselves, and it seems that at this moment Madrid was seriously considering sending them to Brazil.<sup>130</sup>

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<sup>125</sup> Ibid. f.416v.

<sup>126</sup> Gerbie to Coke, 21 November 1637, TNA SP77/27 f.517. Gerbier to Coke, 12 December 1637, TNA SP77/27 f.566.

<sup>127</sup> Cardinal-Infante to Philip, 29 January 1638, AGS E 2521 [unfoliated]. Gerbier to Coke, 16 January 1638, TNA SP77/28 f.11. Gerbier to Coke, 30 January 1638, TNA SP77/28 f.33.

<sup>128</sup> Aston to Coke, 3 May 1638, TNA SP94/40 f.66. Fanshawe’s report, 28 May 1638, TNA SP94/40 f.79v.

<sup>129</sup> Hopton to Coke, 14 June 1638, TNA SP94/40 f.88v. Hopton to Coke, 27 July 1638, TNA SP94/40 f.101.

<sup>130</sup> Tyrone to Philip, 25 July 1638, AGS E 2521 [unfoliated].

Any fears Charles and his government may have had about a Spanish intervention proved groundless, however, and the Irish tercios did eventually move toward the French front.

While English ministers were alleviating their fears of Irish plots, the Spaniards were faced with their own concerns centered on the Irish tercios. Confronted with the French invasion of Navarre in 1638, Spain's desires for Irish recruits increased dramatically, prompting Philip to send orders to the Cardinal-Infante for seven more companies of Irish to come to Spain. To expedite their arrival, he also suggested writing to the Spanish ambassador in London Alonso de Cardenas to request their transport on English ships.<sup>131</sup> Flanders, also facing dual threats from France and Holland, was reluctant to part with any more of their Irish soldiers. Gerbier noted that the military councils in Brussels were ill-disposed towards the wishes of Madrid, citing that the French had yet to make any further advances into Spanish territory, while professing their own dire need.<sup>132</sup> The Cardinal-Infante responded to his brother's request with apologies, saying it was simply impossible to comply with the order at the present time and related the much depleted state of the Irish companies in the face of several years' attrition.<sup>133</sup> Gerbier at the time estimated the total number of Irish in Spanish service to be about 4,100, and noted that the Spaniards were hoping to raise two more tercios.<sup>134</sup> These hopes and Spain's desperate need of men drove them to place a very high premium on

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<sup>131</sup> Philip to Cardinal Infante, 27 August 1638, AGR SEG 219 f.577.

<sup>132</sup> Gerbier to Coke, 28 August 1638, TNA SP77/28 f.486.

<sup>133</sup> Cardinal-Infante to Philip, 13 October 1638, AGR SEG 220 f.273.

<sup>134</sup> Estimate of the strength of the Irish regiments, [undated] 1638, TNA SP77/28 f.645.

permission to recruit in Ireland, which would accordingly play a major role in the high-stakes negotiations of 1640.

### **III. Recruitment**

The conclusion of the peace of 1630 proved occasion for another major levy of English and Irish soldiers for the Army of Flanders. The tercios had been ordered home at the outbreak of hostilities so most soldiers were obliged to quit Flanders with their return uncertain. In the case of men like Tyrone and Tyrconnell, who flouted English royal authority and remained with their troops in Flanders, the closure of the recruiting grounds made it difficult to keep their formations at strength. Even a year after the peace, Gerbier mentioned that Tyrone's tercio had fallen to only 300 men.<sup>135</sup> While the year immediately following the peace was mostly occupied by the return to duty of the personnel who had departed in 1625, army planners in late 1632 sought to bring in new manpower to bolster the existing formations as well as allow for the creation of new ones, such as the Tyrconnell tercio formed that same year. Thus, in that year William Tresham departed for England with patents in hand from Madrid authorizing him to raise the English tercio up to a strength of 3,000 men.<sup>136</sup> Getting patents from Madrid was only half the task faced by recruiters however, as once arrived in England or Ireland, the officer conducting the levy had to acquire the permission of Charles or his officials for

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<sup>135</sup> Gerbier to Coke, 27 November 1632, TNA SP77/22 f.276.

<sup>136</sup> Taylor to Cottington, 14 November 1632, TNA SP77/22 f.248.

transporting men out of the kingdom for the purpose of serving in foreign armies.<sup>137</sup> Knowing how much difficulty acquiring this permission could be, both the Infanta Isabella and the Cardinal-Infante after her generally accompanied the recruiters with personal letters asking Charles to grant the levies as a personal favor and token of friendship.<sup>138</sup>

Tresham's errand was quickly frustrated however, as upon arrival the colonel found that Charles had just issued an order that none of his subjects were permitted to depart for foreign service unless Charles himself sent them. The Infanta's agent in London Henri Tailler found the order to be generally written and did not think any particular slight against Spain had been intended, though the Spaniards were the first to be inconvenienced, with Tresham's levy being denied and a group of Irish en route to Flanders being detained at Dover.<sup>139</sup> Tailler and Juan de Neocolalde decided to press the issue, hoping to acquire permission at least for raising Irish, even if Charles would not consent to allowing any English to depart.<sup>140</sup> Eventually Richard Weston, Earl of Portland and Lord Treasurer agreed to allow the recruitment of Irish, and defended the ban in England by arguing that it had been enacted to help Spain by denying English volunteers to the Dutch. Wary of being accused of favoritism, Charles was eager to prevent knowledge of the permitted levies reaching the Dutch, and so the required

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<sup>137</sup> Gerbier to Coke, 27 November 1632, TNA SP77/22 f.276.

<sup>138</sup> Infanta to Charles, 18 December 1632, TNA SP77/22 f.333.

<sup>139</sup> Tailler to Infanta, 14 January 1633, HHSA PC 65 f.6.

<sup>140</sup> Tailler to Infanta, 23 February 1633, HHSA PC 65 f.53.



documents were to be generated by the government in Ireland, which incidentally ensured further delay before recruitment could begin.<sup>141</sup> While this at least promised some of the needed manpower in Flanders, it was bothersome to Tresham who had no desire to recruit Irish for his English tercio. Tresham's distaste aside, Necolalde also agreed that as Tresham was unknown to the Irish lords and communities, and "the Irish not inclined to serve under English captains," that he and Tresham would have to devise some alternative method of getting Englishmen to Flanders.<sup>142</sup> Desperate to preserve his command, Tresham in flagrant violation of the law assembled handfuls of men secretly in the ports of England and sent them covertly to Dunkirk.<sup>143</sup> While he was able to recruit around 1,000 men in this manner, due to the difficulties involved, only about 600 were confirmed as reaching Dunkirk.<sup>144</sup>

Meanwhile, with recruiting opened in Ireland, Eugene O'Neill, a major affiliated with the Tyrone tercio, arrived in London to oversee the transportation of new recruits to Flanders.<sup>145</sup> Even this did not go as smoothly as hoped, however, and the recruits were soon prevented from leaving.<sup>146</sup> As mentioned previously, the English ambassador in Madrid Arthur Hopton hoped to capitalize on Olivares's protests at this development as a means of pressuring Spain to be more helpful with regard to the Palatinate

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<sup>141</sup> Tailler to Infanta, 11 March 1633, HHSA PC 65 f.64.

<sup>142</sup> Tailler to Infanta, 22 March 1633, HHSA PC 65 f.69.

<sup>143</sup> Tailler to Infanta, 1 April 1633, HHSA PC 65 f.76v.

<sup>144</sup> Tailler to Infanta, 1 July 1633, HHSA PC 65 f.165.

<sup>145</sup> Tailler to Della Faille, 8 April 1633, HHSA PC 65 f.85.

<sup>146</sup> Tailler to Infanta, 15 April 1633, HHSA PC 65 f.90.

negotiations.<sup>147</sup> “I thinke the best way to make them value him [Charles] which they ought is to neglect them a little,” he said, reflecting on Spain’s slowness and ultimate failure in handing Frankenthal over to English custody before the Swedes entered it.<sup>148</sup> The Spaniards’ great hope was in Thomas Wentworth, recently named Charles’s Lord Lieutenant in Ireland. Wentworth was a member of the discernible “Spanish party” at the court of Charles I which included Portland, Francis Cottington, and Francis Windebank and the Spaniards looked to him as a trusty ally in affairs such as these.<sup>149</sup> When word arrived of the Irish recruits being detained, Tailler and Necolalde immediately went to see Portland, who commended the matter to Wentworth, “a person of great abilities and very inclined to the matters of Spain” in Tailler’s estimation.<sup>150</sup> Wentworth pledged to offer as much assistance as he could, though cautioning that it would be difficult since he would not go to Ireland himself for another two months and that the royal officials in Dublin “were for the most part of the Puritan sect and little affected to Spain.”<sup>151</sup> The permits proceeded slowly, but with Wentworth’s assistance they ultimately were granted. Wary of attracting unwanted attention and in the interest of expedition, Eugene O’Neill was encouraged to return to Flanders to avoid giving occasion to rumors, leaving several

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<sup>147</sup> Hopton to Coke, 6 June 1633, TNA SP94/36 f.291.

<sup>148</sup> Hopton to Portland, 6 June 1633, TNA SP94/36 f.298.

<sup>149</sup> Caroline Hibbard, *Charles I and the Popish Plot*, (Chapel Hill, 1983), pp.33-36. A. J. Loomie, “The Spanish Faction at the Court of Charles I,” *Bulletin of the Institute of Historical Research*, 59, 1986, p.42.

<sup>150</sup> Tailler to Infanta, 15 April 1633, HHSA PC 65 f.90.

<sup>151</sup> Tailler to Infanta, 22 April 1633, HHSA PC 65 ff.106-106v.

junior officers behind to manage the recruitment.<sup>152</sup> O'Neill's name made him useless in the country, as it "would give pretext to the malicious to pretend some jealousy against him in Ireland, for he is of the family of the Earl of Tyrone, who is much abhorred and feared by the English," as Tailler explained it.<sup>153</sup> With similar discretion, when the levies began to depart, the officers determined to send them directly to Flanders from Ireland, rather than by way of England "to hide the favor that they do us, so that the Dutch have little pretext to complain."<sup>154</sup> Recruitment in this manner continued throughout the summer, leaving the Irish officers happy with their reinforced numbers and Tailler and Necolalde singing the praises of Wentworth.<sup>155</sup>

While frustrated with the difficulties, the Spaniards could at least take some satisfaction in knowing the ban was applied evenly to other interested parties. Around the same time Tresham and the Irish were attempting to make their levies, nearly 50 English officers came from Holland with intent of reinforcing the English regiments in the Dutch army. Necolalde and Tailler immediately lodged complaints with the Privy Council, who not only banned the recruitment of Englishmen for Dutch service but also considered not allowing these 50 officers to return to their posts, notwithstanding the bitter protests of the Dutch emissaries in London.<sup>156</sup> The council was worn down by

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<sup>152</sup> Ibid, ff.106v-107. Tailler to Infanta, 29 April 1633, HHSA PC 65 ff.120v-121. Tailler to Della Faille, 13 May 1633, HHSA PC 65 f.137. Tailler to Della Faille, 20 May 1633, HHSA PC 65 f.141.

<sup>153</sup> Tailler to Infanta, 13 May 1633, HHSA PC 65 f.136.

<sup>154</sup> Tailler to Infanta, 20 May 1633, HHSA PC 65 f.139.

<sup>155</sup> Tailler to Infanta, 22 July 1633, HHSA PC 65 f.180v. Tailler to Infanta, 19 August 1633, HHSA PC 65 f.197.

<sup>156</sup> Tailler to Infanta, 8 July 1633, HHSA PC 65 f.168.

these protests, and doubtless many of the members were well-affected to the Dutch cause. Within a week it seemed that many were in favor of granting the Dutch their levies, but the final decision was given to Charles. Wentworth again earned praise from the Spaniards when in the council chambers he spoke at length against the Dutch, pointing to increasing Anglo-Dutch competition in global trade and saying it would be foolhardy for Charles to assist the growth of Dutch power against his subjects' own interests. So effective was this oratory that Tailler claimed that all but the most die-hard of Dutch supporters were moved to take Wentworth's view.<sup>157</sup> With Wentworth's departure for Ireland at the end of July and the loss of his direct influence in England, Tailler and Necolalde would be on high alert to prevent any reconsideration of the Dutch requests, though Wentworth had also promised them before leaving that in Ireland he was ever at their service.<sup>158</sup>

In response to these actions, the Dutch and French diplomats in London sent back enraged reports to their respective governments, prompting even agents in other European courts to express offense to their English counterparts. In a letter to Augier, the French resident in Brussels, Gerbier recounted the story of Tresham's recruitment efforts and ultimate frustration, with a purpose of silencing Augier's complaints to Gerbier about English aid to Spain. Augier evidently labored under the belief that Tresham's levies had been expressly allowed, which Gerbier countered with passages from his correspondence with Hopton describing Olivares's anger at the stoppage of the Irish levies. While

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<sup>157</sup> Tailler to Infanta, 15 July 1633, HHSA PC 65 ff.174-175.

<sup>158</sup> Tailler to Infanta, 22 July 1633, HHSA PC 65 f.180-180v.

Gerbier made no mention of the Irish who were sent by way of Wentworth's intervention, he asked the French resident, "whether your find the French have soe greate intentions to contribute to his Majesties interests as it should be requisite to give them an account of his charity which is just & known," pointing to weak French offers of assistance in regard to the Palatinate.<sup>159</sup> These reports did nothing to give satisfaction to Spain's enemies, especially the French and Dutch, who continued to file complaints with Charles's ministers throughout the year. In November, Secretary Coke wrote to Gerbier to inquire about the channels by which soldiers, especially Irish, entered Flanders, which prompted Gerbier to discover the flow of volunteers through various ports of France.<sup>160</sup> The new year brought no changes in Charles's policy, and new waves of English officers found no better luck in procuring recruits than Tresham had in 1633.<sup>161</sup> Maintaining their vigilance even as they sought favor for their own captains, Necolalde and Tailler in early 1634 discovered a Dutch attempt to quietly acquire recruits with the connivance of English officials that was similar to their own arrangement with Wentworth. When they protested to Portland, the treasurer simply responded that Spain could take some consolation in that the delay in permitting the Dutch levies had at least given the Spaniards a window of momentary advantage.<sup>162</sup>

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<sup>159</sup> Gerbier to Augier, 13 July 1633, TNA SP105/10 f.189.

<sup>160</sup> Coke to Gerbier, 8 November 1633, TNA SP77/23 f.432. Gerbier to Coke, 25 November 1633, TNA SP77/23 f.442.

<sup>161</sup> Tailler to Della Faille, 13 January 1634, HHSA PC 65 f.275.

<sup>162</sup> Tailler to Della Faille, 9 February 1634, HHSA PC 65 f.282v.

When Gage received his patent for raising the second English tercio in 1635, he made every effort to promote his success in recruitment, even attempting to butter up Gerbier prior to his departure for England.<sup>163</sup> Gage set out for England at the beginning of 1636, this time also armed with a letter from the Cardinal-Infante asking Charles to consent to the raising of the second English tercio.<sup>164</sup> This time Gerbier also seconded the Cardinal-Infante's letter, writing to secretary Coke that Gage was "a gentleman of good parts and carriage, forwards to expose himself to be a good Englishman."<sup>165</sup> Aside from the expected difficulties with getting permission from Charles, a further problem for Gage appeared in the form of Tresham's tercio which had been seeking additional levies since mid-1635, finally obtaining consent from Charles to raise 300 men at the end of that year.<sup>166</sup> Hearing of Gage's coming, Necolalde quickly wrote to Brussels that he believed such a levy would be impossible, most especially because of the intense enmity of the French and Dutch deputies and the circle of anti-Spanish elements about the queen.<sup>167</sup> Furthermore, Necolalde noted that as Tresham's men had already recruited nearly the entire allotted 300, Gage's request would necessitate another permit from Charles, with all the trouble that entailed.<sup>168</sup> Necolalde continued to work as best he could for

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<sup>163</sup> Gerbier to Coke, 20 April 1635, TNA SP77/25 f.132.

<sup>164</sup> Axpe to Necolalde, 27 December 1635, AGR SEG 365 f.352. Cardinal Infante to Charles, 26 December 1635, TNA SP77/25 f.341.

<sup>165</sup> Gerbier to Coke, 28 December 1635, TNA SP77/25 f.348.

<sup>166</sup> Necolalde to Cardinal Infante, 5 May 1635, AGR SEG 365 f.62. Necolalde to Axpe, 1 June 1635, AGR SEG 365 f.94v.

<sup>167</sup> Necolalde to Cardinal Infante, 28 December 1635, AGR SEG 365 f.360.

<sup>168</sup> Necolalde to Axpe, 11 January 1636, AGR SEG 366 f.20.

obtaining the necessary permits, but said the English were little inclined to offer more men for existing formations much less an entirely new tercio, having also denied permission to the French the preceding year for raising an English regiment.<sup>169</sup> Charles finally said as much himself, declaring to the Englishman George Shaw, Gage's close associate and major, that he had been disposed to allow the recruitment of one company for Tresham's tercio but had no desire to provide for the maintenance of a second tercio.<sup>170</sup> The Secretary of State and War in Brussels, Martin de Axpe had remitted the letters patent for the new tercio to Necolalde to distribute to Shaw and the captains as he saw fit, but in the present circumstances Necolalde chose to keep them under lock and key, not showing them to any of the English.<sup>171</sup> This omission would later be the cause for credence given to the accusations made by Tresham against Gage and Shaw that both men had proceeded without authorization in an attempt to smuggle men out of England.<sup>172</sup>

Still trying to balance favor amid the different interests about him, Charles gave Necolalde further fuel for complaint when in April he granted the Dutch permission to raise recruits. When confronted in audience, Charles dismissed Necolalde's objections by stating that he had already denied the Dutch for three years out of deference to Spain

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<sup>169</sup> Necolalde to Axpe, 1 February 1636, AGR SEG 366 f.73. Necolalde to Axpe, 8 February 1636, AGR SEG 366 f.78.

<sup>170</sup> Necolalde to Axpe, 11 March 1636, AGR SEG 366 f.136.

<sup>171</sup> Axpe to Necolalde, 14 March 1636, AGR SEG 366 f.138. Necolalde to Axpe, 14 March 1636, AGR SEG 366 f.144v.

<sup>172</sup> Gage to Gerbier, 26 February 1638, TNA SP77/28 f.80v.

and that the permitted levies were only to maintain existing English regiments in being, not to raise new ones, thus giving the Dutch the same favor he had shown to Tresham's tercio.<sup>173</sup> Faced with problems like these, the Spaniards during most of the 1630s were forced to rely on occasional grants like the 300 men given to Tresham. While Wentworth remained cooperative, which allowed recruitment of tercios for Thomas Preston and Gerald Barry in 1634 and 1636 respectively, his assistance only applied to Ireland so did little to replenish the shallow ranks of Tresham's tercio or give bulk to Gage's. One method that prompted some success was the use of third-party clients to solicit recruits from Charles. Prince Thomas of Savoy, who arrived in Spanish Flanders in 1634 sought and was granted permission to raise nearly a thousand men for a "Savoy" tercio in the Army of Flanders.<sup>174</sup> This method was not always successful, especially when other factors were involved. The Duchess of Chevreuse and Duke of Lorraine in 1638 sought Charles's permission to levy some 8 or 9,000 men for some "Lorraine" tercios to serve in Flanders, but these requests were denied, an outcome Cardenas attributed to the growing crisis in Scotland and Charles's need for manpower at home.<sup>175</sup>

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<sup>173</sup> Nocolalde to Cardinal-Infante, 4 April 1636, AGR SEG 366 ff.186v-187.

<sup>174</sup> Tailler to Della Faille, 18 August 1634, HHSA PC 65 ff.334-334v.

<sup>175</sup> Cardenas to Salamanca, 9 July 1638, AGR SEG 368 ff.55-56. Cardenas to Salamanca, 6 August 1638, AGR SEG 368 f.103.



#### IV. Recruitment in the Late-Decade Crises

By 1638, Spain also was facing dire straits as pressure continued to build on the fronts with France. In July of that year a *consulta* was sent to Cardenas asking him to obtain permission to levy 4 to 6,000 Irish to replenish the dwindling numbers in the tercios.<sup>176</sup> The need in Flanders was so dire that the Cardinal-Infante even authorized Thomas Plunkett, one of the captains in Owen Roe O'Neill's tercio, to go attempt to recruit Irish, Scots, and English among the prisoners taken from Dutch formations.<sup>177</sup> Demand intensified as a plague began spreading among the army, further thinning the ranks of the Irish and English tercios and prompting the Cardinal-Infante to increase the request to include 3000 English.<sup>178</sup> These requests were mirrored in Spain, where Hopton received Olivares's petitions for recruits and sent them to Windebank and Charles for consideration.<sup>179</sup> Hopton, impressed with the urgency of the Spanish situation, feared that the temptation for misdeeds was high, and warned that Tyrone and Tyrconnell, whose tercios had been redeployed to Spain to help defend Navarre, were said to be plotting the smuggling of some men out of Ireland and accordingly continued keeping the two earls under close watch.<sup>180</sup>

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<sup>176</sup> Consulta for Cardenas, 31 July 1638, AGR SEG 368 f.97.

<sup>177</sup> Salamanca to Verreyken, 11 August 1638, AGR PEA 2083.1 [unfoliated].

<sup>178</sup> Cardinal-Infante to Cardenas, 18 September 1638, AGR SEG 368 f.141.

<sup>179</sup> Hopton to Windebank, 7 November 1638, TNA SP94/40 f.286.

<sup>180</sup> Hopton to Windebank, 8 December 1638, TNA SP94/40 f.327v.

In response to these requests, Charles was willing to grant the recruitment of 1,400 English to the Spaniards, but no more. Windebank stated that the arming of the king's own forces against the escalating disturbances in Scotland took priority.<sup>181</sup> Furthermore, Charles remained adamant that he would not recognize the creation of the second English tercio and would only provide enough recruits to maintain the first under Tresham's command. In Brussels the news was received well and the Cardinal-Infante tried to help Gage by ordering that 1000 of the new levies go to Gage's command with Tresham receiving only 400. Aware that by granting Gage some of the levies he was running afoul of Charles's stated position, he also ordered that the recruiters in England be discreet and avoid interfering with each other.<sup>182</sup> To Cardenas's further disappointment, Windebank said that in the circumstances of the Scottish uprising, recruitment in Ireland was entirely out of the question.<sup>183</sup> Despite the allowance of 1,400 men, recruiting in England amid all the preparations of the royal army for the campaign against the Scots in the summer of 1639 proved underproductive. By the end of April, the captains sent over by Gage and Tresham were only able to raise about 660 men all together, far less than what the tercios in Flanders needed.<sup>184</sup> With such a poor harvest, the Spaniards looked all the more to Ireland for manpower. Appraising the situation from Spain, Hopton suggested to Windebank that allowing the recruitment of Irish would be a

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<sup>181</sup> Cardenas to Cardinal-Infante, 14 January 1639, AGR SEG 369 f.18.

<sup>182</sup> Cardinal-Infante to Cardenas, 22 January 1639, AGR SEG 369 f.24.

<sup>183</sup> Cardenas to Cardinal-Infante, 14 January 1639, AGR SEG 369 f.18v.

<sup>184</sup> Cardenas to Salamanca, 29 April 1639, AGR SEG 369 f.129.

good way to secure Spanish benevolence in Charles's difficulties, especially if it could be done to the detriment of Tyrone and Tyrconnell. Hopton suggested that Charles could selectively grant patents to reliable Irish, particularly those of Old English heritage, and thus depower the seditious elements among the Irish military community.<sup>185</sup>

Cognizant of the unfolding troubles in Scotland by Cardenas's reports, the Spaniards hoped that the occasion would give them an opportunity to trade favors. Hopton reported being approached by Olivares, who "seemed to be desirous to assist towards the ending of the Scottish business & sake of the necessity of having five or six thousand old soldiers."<sup>186</sup> This came after a series of half-hearted negotiations promoted by Gage in concert with his brother the priest George Gage to alleviate Charles's Scottish troubles with a loan of forces from the Army of Flanders. Making the first proposals in 1638 with the help of Prince Thomas, Gage had suggested to Charles that in return for an expedition of some 10,000 Spanish and Flemish troops against the Scots, he would allow the recruitment of nearly 20,000 Irish for the Army of Flanders and be more committed to providing effective security in the Channel.<sup>187</sup> Charles was interested in these offers, but when the Cardinal-Infante took over the enthusiastic negotiations of Gage and Prince Thomas in early 1639, he reduced the proposed expedition to a much more manageable 5 or 6,000.<sup>188</sup> Spanish interest was genuine, but

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<sup>185</sup> Hopton to Windebank, 29 March 1639, TNA SP94/41 f.69.

<sup>186</sup> Hopton to Windebank, 14 May 1639, TNA SP94/41 f.97.

<sup>187</sup> Hibbard, *Popish Plot*, pp.104-108.

<sup>188</sup> Cardinal-Infante to Philip, 27 February 1639, AGR SEG 221 f.178.

tempered by the increasing need of the troops in Flanders. By May 1639, the Cardinal-Infante wrote to his brother that Gage's proposal was simply not feasible at that time.<sup>189</sup> Thus when Olivares approached Hopton, it was in the hope of finding another basis for agreement that would allow the Spaniards to levy troops from Ireland. Conscious of English fears relating to the Irish tercios, the Spaniards even intimated to Hopton that their reasons for calling Tyrone and Tyrconnell to Spain was to "not give way to any disorder in Ireland which hath bin endeavoured" and for that reason Tyrone had been granted a court appointment and Tyrconnell kept "soe overlaid with drinke as there is noe account to bee made of him."<sup>190</sup> Spanish urgency was compacted when the warning signs of the Catalan revolt were beginning to appear in mid 1639.<sup>191</sup> Hopton reported that Olivares's efforts to extract money and impose Castilian garrisons in Catalonia were producing increasing unrest in the principality. Still nearly a year before the outbreak of the formal rebellion, Hopton already noted a near clash between Catalan militia and Castilian soldiers that was averted only by a priest bringing forth the Blessed Sacrament.<sup>192</sup> Incidents such as these gave Olivares greater cause to worry about the integrity of the frontier with France, and made Madrid as desirous for Irish levies as Brussels. Accordingly, Madrid issued patents to Patrick Fitzgerald, formerly a captain in Owen Roe O'Neill's tercio, and John Butler to each raise a new tercio. Both men were

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<sup>189</sup> Cardinal-Infante to Philip, 11 May 1639, AGR SEG 222 f.24.

<sup>190</sup> Hopton to Cottington, 29 May 1639, TNA SP94/41 f.110v.

<sup>191</sup> The best treatment of the Catalan revolt remains J.H. Elliott's *Revolt of the Catalans* (Cambridge, 1963).

<sup>192</sup> Hopton to Coke, 5 August 1639, TNA SP94/41 f.143.

sent to London and Cardenas was given the onerous task of obtaining permission for the levies.<sup>193</sup>

While the Gage plan had floundered due to the inability of either Spain or Flanders to loan out any of their badly needed military forces, money was not yet lacking. In deliberations of the Council of State in Madrid in July 1639, the Council proposed that if they could not purchase the much-sought Irish recruits with an armed expedition against the Scots, money should certainly suffice. The Council voted that it would be worthwhile to offer Charles a loan of up to 400,000 escudos, approximately 100,000 pounds sterling, in return for a large number of recruits.<sup>194</sup> After consideration on the matter, Philip proposed an alternative to the Gage plan for assisting Charles against the Scots in return for Irish levies and greater Channel security. In October, the Cardinal-Infante delivered this new plan to Cardenas with orders to propose it to the English ministers at the first best opportunity. In exchange for a then unspecified quantity of money which the terms called a loan or *emprestito*, Charles would formally commit to better maritime security for Spanish shipping and authorize the recruitment of 10,000 Irish, of which 6,000 were to go to Flanders while the remainder were sent to Spain.<sup>195</sup> Cardenas immediately proposed the idea to Windebank, and in these early talks the two ministers outlined a plan for a loan of 250,000 escudos, with an additional grant of 100,000 to help pay the large initial outlay for Charles to equip more ships in the

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<sup>193</sup> Salamanca to Cardenas, 23 August 1639, AGR SEG 370 f.34. Cardinal-Infante to Cardenas, 23 September 1639, AGR SEG 370 f.72.

<sup>194</sup> Council of State, 26 July 1639, AGS E 2054, 123 ff.3v-5.

<sup>195</sup> Cardinal-Infante to Cardenas, 10 October 1639, AGR SEG 370 f.119.

Channel. While Cardenas was inclined to complain of English stinginess and Charles's poor track record in keeping peace in the Channel despite his pretended sovereignty of the seas, both parties had committed themselves to pursuing an agreement.<sup>196</sup> Cardenas's concerns were vindicated in the Battle of the Downs, and Spanish objectives for the *emprestito* had to be appropriately retooled.<sup>197</sup> While Fitzgerald and Butler had both arrived in England in November, Cardenas reported that the country was in disarray and that procuring any levies from Charles at this time would be difficult.<sup>198</sup> Still reeling with disgust at Charles's failure to make any effort to defend the Spanish fleet in the Downs, Cardenas cautioned that the Spaniards should restrict the terms of the *emprestito* to the levying of Irish troops, since Charles was evidently incapable of projecting power in the Channel.<sup>199</sup> Coming to similar conclusions and consistent with the policy he and Olivares had chosen to avoid getting hung upon the Downs fiasco, Philip ordered the Cardinal-Infante to continue pressing for the levy of 10,000 Irish while dropping the provisions for maritime security.<sup>200</sup>

As the Pacification of Berwick began to crumble and an invasion of England by the Scottish Covenanters appeared more likely throughout late 1639, Charles was in no readiness to concede the levies desired by Cardenas.<sup>201</sup> Butler soon tired of the delays

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<sup>196</sup> Cardenas to Cardinal-Infante, 21 October 1639, AGR SEG 370 ff.147-147v.

<sup>197</sup> See Chapter 2, IV.

<sup>198</sup> Cardenas to Cardinal-Infante, 4 November 1639, AGR SEG 370 ff.179-179v.

<sup>199</sup> Cardenas to Cardinal-Infante, 25 November 1639, AGR SEG 370 f.239v.

<sup>200</sup> Philip to Cardinal-Infante, 29 November 1639, AGR SEG 224 ff.127v-128.

<sup>201</sup> For the continual escalation of the Scottish crisis from 1637-1639, See Chapter 7.

and offered to return to the Continent and populate his *tercio* with Germans instead.<sup>202</sup> By April 1640, Cardenas had still made little headway, and even the levies that Charles had previously permitted from England were not forthcoming amid all the military activity to defend against the Scots and the political uncertainty following the calling of the Short Parliament.<sup>203</sup> By this time the decision in Madrid had been resolved to send a triple embassy to England to negotiate a new comprehensive treaty, and the Cardinal-Infante accordingly told Cardenas to await the arrival of the Marquises Malvezzi and Velada, whose mission he hoped would incline Charles to open Ireland to recruiters.<sup>204</sup> Cardenas was relieved when he heard news of the coming of the two extraordinary ambassadors, saying that Ireland was the Spaniards best hope for manpower. Gage's men who were still present in England trying to recruit the full 1,000 they had been allotted nearly a year prior, had only succeeded in sending over about 100 men since the previous summer, in large part because they were competing everywhere with English recruiters for Charles's royal army.<sup>205</sup>

The Marquises Malvezzi and Velada each arrived in England in April, but with slow travel toward London, especially for Malvezzi, their negotiations did not pick up until mid-May.<sup>206</sup> Each Marquis brought with him a tall order for Irish recruits, Malvezzi

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<sup>202</sup> Cardenas to Salamanca, 2 December 1639, AGR SEG 370 f.267.

<sup>203</sup> Cardenas to Salamanca, 28 April 1640, AGR SEG 371 ff.215-215v.

<sup>204</sup> Cardinal-Infante to Cardenas, 5 May 1640, AGR SEG 371 f.229.

<sup>205</sup> Cardenas to Cardinal-Infante, 11 May 1640, AGR SEG 371 f.236v.

<sup>206</sup> For a detailed examination of the negotiations of 1640, see Chapter 7.

being instructed to secure 8,000 for Spain, while Velada, coming from Brussels, was ordered to get 10,000. In negotiations with Wentworth, now Earl of Strafford, the ambassadors were told that such numbers were problematic for recruitment in England was prioritized to Charles's own forces while there were, Strafford claimed, not enough Irish in Ireland to provide so many soldiers.<sup>207</sup> Strafford did suggest however, that a levy of 10,000 might be permitted if the Spaniards would guarantee that none of the soldiers would fall under the command of Tyrone or Tyrconnell, "for they show themselves ill-affected to the matters of this king, their natural lord."<sup>208</sup> The demand for levies only increased after 7 June 1640 when the Catalan Revolt began in earnest.<sup>209</sup> This occasioned Philip to send a letter to his three ambassadors in England with renewed insistence on the urgent and immediate need for Irish troops in Spain. Apart from the dislike Charles and Strafford had for Tyrone, Tyrconnell, and other Irish officers, the progress of the recruitment negotiations also suffered because they were treated in tandem with the other major propositions of the three ambassadors' treaty proposals. Strafford, eager to acquire the funds desperately needed by his royal master, stated the levies could be immediately granted in return for the now greatly expanded *emprestito* of 1,200,000 escudos, roughly 300,000 pounds sterling. Thus the question of recruitment rights was subsumed into the negotiations of 1640.<sup>210</sup>

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<sup>207</sup> Velada to Philip, [undated] May 1640, AGR SEG 374 f.269v.

<sup>208</sup> Ibid, f.270v.

<sup>209</sup> Elliott, *Revolt of the Catalans*, pp.452-453.

<sup>210</sup> Cardenas, Malvezzi, and Velada to Philip, [undated] August 1640, AGR SEG 377 ff.47-48v.



## V. Conclusion

The English and Irish tercios of the Army of Flanders emerge as a fascinating historical phenomenon both in terms of the men themselves and their actions within a sphere of intersecting space between England and Spain. The officers and soldiers of the tercios represent a grouping of English and Irish who necessarily straddled two worlds. While they were undoubtedly Charles's subjects, the fact that they held commissions from the King of Spain made them somewhat Philip's subjects as well. The tension and ambiguity in this arrangement had its advantages and the men of the tercio did not hesitate to employ their connections in either English or Spanish circles when it best suited their interests. For instance, even in cases in which the circumstances would seem to confer full jurisdiction on the Spanish, Colonel Tresham had no compunction about requesting Gerbier to intervene with the Cardinal-Infante on behalf of the two English soldiers sentenced to death for robbery and counterfeit. While in a purely Spanish context the case might appear to be an attempt by a foreign power to undermine military discipline, from the English perspective, which was appreciated by the Cardinal-Infante, Charles had the right to attempt to protect his own subjects. Similarly, in the matter of the contested succession to the colonelcy of the tercio in 1631, Tresham emerged the victor over Reresby through his solicitation of support and recommendation from powerful names in England. It is noteworthy that the Infanta and her council received this support and recommendation in good confidence and carefully considered it in determining the appointment.

Irish chieftains often appealed to figures in the councils of Brussels and Madrid, in hopes of gaining leverage with Charles for the restoration of their lost titles and lands in Ireland. The Irish leaders represent a peculiar situation, given their quasi-legal status in the sight of the English government. Technically, many of the Irish officers were deemed criminals and banned from ever returning to Ireland. Nevertheless, Charles consistently allowed recruitment for the Irish tercios throughout the decade, even as he knew many of the troops would be going into the tercios of Tyrone and Tyrconnell, two men his government greatly feared and suspected. Even as they dreaded the prospect of Irish insurrection and viewed many of the Irish as traitors or potential traitors, Charles's government still found it convenient to tolerate the Irish tercios in order to maintain at least a veneer of suzerainty over them. A clear example of this was Wentworth's intercession on behalf of Captain John Butler and Charles's subsequent chastisement to Colonel Owen Roe O'Neill delivered by Gerbier. A categorical disowning of the Irish who served Spain would only have fostered the seditious tendencies that England wished to avoid. Additionally, by insisting on his right to oblige the Irish soldiery to return to Ireland if ordered, Charles possessed at least a theoretical check on the authority of Anglophobic Irish officers like Owen Roe. Only during Wentworth's 1640 negotiations with Cardenas, Malvezzi, and Velada would Charles's ministers adopt the method proposed by Hopton in 1639 to grant permits for Irish levies on condition that they not fall under the command of Tyrone or Tyrconnell. Despite the manifest concern about these two men, made clear in the frequent instructions delivered to Gerbier, Hopton, and Aston to keep a close watch on their movements and plans, that such a simple measure

was adopted only when the Scottish crisis had given Charles greater reason for caution says much for the tacit toleration the two earls previously enjoyed. In this light, the intimations Tyrone and Tyrconnell made to Gerbier and Hopton to explore the possibility of rehabilitation seem less farfetched than at first glance, likewise with the Baron of Glean-O'Malun's apologies to Gerbier for not being able to attend the 1634 Irish Parliament.

In the larger world of statecraft, the tercios formed a key component of Anglo-Spanish negotiations no less important than the discussions over the role of the English fleet in the Channel or the settlement of the Palatinate dispute. In fact, to some degree they were more important than either of those issues because of the deadlock that paralyzed those negotiations. England would not even consider consenting to the Anglo-Habsburg league against the Dutch and French without the restoration of the Palatinate. Spain would not yield the Palatinate without the security of the Anglo-Habsburg league. This impasse had thwarted the 1634 maritime treaty for Anglo-Spanish naval cooperation and had also brought the two nations close to war in 1637.<sup>211</sup> Unsurprisingly, Charles and his ministers tried to use the grant of recruits as a means to advance their interests in these other areas. Knowing how badly Spain needed the reinforcements from England and especially Ireland, Charles allowed only a trickle of recruits to cross the Channel. Through his control of the flow of men, he could try to starve the Spaniards into compliance, as in the 1633 stoppage of Irish recruits at the ports that had so outraged Olivares. Alternatively, the recruits were also employed as a bribe, as when Wentworth

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<sup>211</sup> See Chapter 2, I and II. Chapter 5, I.

wrote to Philip in 1635 announcing that his compliance in facilitating the levies of Colonel Preston obliged the King of Spain to make good his promises of the Palatinate.<sup>212</sup>

Despite this, the Spanish tried to make the best of what troops they could get out of England and Ireland and were themselves unwilling to pay the price Charles would ask for freer recruiting, which could only be the unconditional restoration of the Palatinate. Much as the Spaniards desired Charles's subjects to fill the ranks of the army of Flanders, they were not so valuable as to make the Spaniards willing to gain them other than as a bundle with other provisions, most notably maritime security in the Channel and the long-cherished dream of an Anglo-Habsburg alliance. In 1638, the joy of the Spaniards was obvious when the Scottish crisis seemed to place Charles in a position where he would be willing, indeed obligated, to sell levies for a lesser price than the Palatinate.<sup>213</sup> Spain was fortunate that their moment of greatest need in the face of French invasions in Flanders and Spain and revolt in Catalonia coincided with Charles's financial desperation, and the hope of acquiring a large number of Irish recruits to bolster the precarious strategic position of the Spanish monarchy explains much of Madrid's willingness to enter into the treaty of 1640.

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<sup>212</sup> Wentworth to Philip, 5 October 1635, AGS E 2520 [unfoliated].

<sup>213</sup> Chapter 5, II.

## **Chapter 7: The Triple Embassy of 1640**

The recurring theme of Anglo-Spanish relations throughout the decade of the 1630s lay in Spain's desire to draw England into a common league with the Emperor, which Olivares believed was the key to resolving the wars in Flanders and Germany in the Habsburgs' favor. The only means to obtain this league, however, was the concession of the Palatinate. Even ignoring the tremendous strategic importance of the Palatinate to Habsburg war effort in Germany, any mutual satisfaction was thwarted by the Spaniards' inability to trust in Charles's compliance with any agreement. Charles's own unwillingness to offer concrete assurances or gestures of favor toward Spain and against Spain's enemies only increased Spain's intransigence in yielding the Palatinate apart from a formal league. On his side, Charles plainly showed no interest in joining the wars in Europe, even though he was known to dislike the Dutch for their attacks on his subjects in the East Indies and their consistent flouting of his claimed sovereignty of the seas. Charles alone cannot be held accountable for this intractability. His pacific policy doubtless resulted at least in part from his miserable experience during the war against Spain in 1625-1630. If Parliament had chafed at funding his war plans when these were directed against the premier Catholic power, Charles had no illusions about what aid he could expect in a war against the Habsburgs' enemies. Only the prior restoration of his nephew to the Palatinate and the Electoral dignity could insulate Charles against claims of having betrayed the Protestant cause and allow him to bring forth the very real complaints against the Dutch as a just rationale for war.

Thus the two sides spent the entire period of 1631-1639 in impasse. Charles would not consent to a league with Spain and Austria without the Palatinate first being granted, and Spain and Austria would not restore the Palatinate without the league. While Charles's singular demand for the restoration of Prince Charles Louis to all his lands and titles was consistently pressed in Madrid, Brussels, and Vienna throughout the period, Spain tried numerous methods to gain its own goals. Two attempts at direct alliance, proposed in Vienna in 1631 and again in 1636, had proved complete failures, and in both cases had threatened to send Charles into the arms of Spain's enemies, Sweden and France respectively. Olivares had sought to wheedle Charles into an alliance in a roundabout method by means of the 1634 maritime treaty negotiated by Juan de Neocolalde. Charles, sensing the designs of the Spaniards to use the treaty as means to control and compel his foreign policy, allowed the agreement to wither away and opted to fund his naval expansion with the ship money writs rather than Spanish subsidies. Spain's hopes that the ship money fleet would at least provide some benefit to them in the Channel proved unfounded and were completely dashed in the wake of the fiasco of the Battle of the Downs in 1639. Olivares's other hope, to at least gain material aid from Charles in the form of armaments and men for the Army of Flanders, also ended in disappointment. Charles was extremely parsimonious with his aid and never allowed Spain to recruit as widely or as frequently as the Spaniards would have liked. Even when he did allow some recruitment, it was often simultaneous with equivalent assistance given to Spain's Dutch rivals. After years of increased frustration in both London and Madrid at the failure of these efforts to secure their respective interests, relations between

England and Spain had deteriorated sufficiently so that Flanders in 1638 was in fear of attack by sea while the French, the Dutch, and their English supporters looked with relish at the prospect of renewed Anglo-Spanish War.

Events in Scotland, however, changed everything. Forced to divert attention to his northern kingdom at the rebellion's beginning in 1637, Charles soon found himself confronted with a much more serious crisis and in need of assistance beyond his own means. The Spaniards rejoiced at the new developments, believing as the Cardinal-Infante wrote in his letter to his brother that with these added difficulties Charles could finally be induced to treat for an alliance apart from the matter of the Palatinate.<sup>1</sup> This attitude in the Spanish camp was dourly noted by Arthur Hopton in Madrid and especially Balthazar Gerbier in Brussels, who watched as his own negotiations in concert with the Princess of Pfalzburg for the Palatinate restoration were undermined and ultimately discarded.<sup>2</sup> Apart from the advantage it gained from Charles's Scottish troubles, Spain also found ample reason to seek a firmer relationship with Charles in its own European strategic concerns. The fall of Breissach, one of the principal Rhine fortresses held by the Habsburgs, to French forces in December 1638 severed once again the land-based "Spanish Road" connecting Flanders to Spanish Italy.<sup>3</sup> This left only the sea route through the Channel as a tenuous link between embattled Flanders and the rest of the Spanish empire. Olivares's great armada in 1639 was an attempt at a corrective, its

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<sup>1</sup> Cardinal-Infante to Philip, 30 September 1638, AGR SEG 220 f.223v.

<sup>2</sup> Gerbier to Windebank, 26 February 1639, TNA SP77/29 ff.90v-91.

<sup>3</sup> J. H. Elliott, *The Count Duke of Olivares*, (New Haven, 1986), pp.542-543.

goal being to bolster the garrisons of the Spanish Netherlands and maintain the lines of communication with Madrid. While most of the embarked troops did eventually find their way to Flanders, the naval disaster imposed a hefty price tag on a one-time reinforcement. In addition to underlining Spanish vulnerability, the Battle of the Downs also proved the limitations of English aid under the loose agreements that had governed the maritime relations of the two countries during the decade, and made it clear that Spain would need to reach a new and firmer arrangement with England to preserve the integrity of the sea-based “English Road.”

As a result of the increasingly dire situation faced by both the English and the Spanish, 1640 witnessed a final effort by both parties to obtain the aid they each needed. England in that year hosted an impressive embassy of three Spanish ambassadors, who hoped to swing events in favor of the Spanish crown and aid Charles in the bargain. The preliminary negotiations began before the defeat of the armada in the Downs, when the Scottish revolt made Philip and Olivares believe they finally had Charles over a barrel. With the new risk to Flanders after the defeat of the Spanish fleet, the English negotiations became as important to Spain as they were to Charles, and only became more so as subsequent months saw first the beginning of the Catalan Revolt in May-June and finally the revolution in Portugal in December. Faced with such predicaments, both sides became much more willing to be open-handed. Far from his previous aloofness, Charles welcomed Spain’s offers of assistance against the Scots, which were also enthusiastically supported and facilitated by important officials such the Lord Lieutenant of Ireland Thomas Wentworth and Secretary of State Francis Windebank. So much



importance did Olivares place on the negotiations that he was willing to continue them even when the increasingly volatile developments in Scotland and England made it clear that Charles would not be able to offer any immediate aid on the scale the Spaniards first envisioned. Urgent necessity had finally broken the deadlock of 1631-1639 and brought both England and Spain to the bargaining table, though the dramatic events in both monarchies would soon overtake the negotiations and the proposed treaty would be rendered dead by the same crises that had enabled it.

Despite the great potential these eleventh hour efforts possessed, they remain remarkably absent from many studies of the period. S. R. Gardiner, with his characteristic thoroughness, noted their occurrence, but, consistent with his dismissal of Charles's foreign policy after 1631 as "futile diplomacy," he reduces roughly four months of negotiation to a single morning's discussion between Wentworth and the ambassadors on May 21. These talks he presents as foreordained to failure because he claims Charles had no interest and had withdrawn all support from Wentworth's plans.<sup>4</sup> Apart from making the Spanish treaty Wentworth's sole brainchild, Gardiner also portrays Charles as being more invested in the parallel but separate issue of a proposed Anglo-Spanish dynastic marriage. While Charles had been encouraged by both Wentworth and the Duchess of Chevreuse to believe such a marriage was feasible, the Spanish ambassadors themselves did not come prepared to discuss any such thing and the matter was of minute importance from Madrid's perspective. Later historians have been

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<sup>4</sup> S. R. Gardiner, *History of England*, Vol. IX, (London, 1883), pp.131-132, 136.

little disposed to deviate from Gardiner's treatment, if the event is mentioned at all.<sup>5</sup> Kevin Sharpe, in his comprehensive and open-minded appraisal of the personal rule, makes mention of the negotiations and better acknowledges their length and seriousness than Gardiner. Nevertheless, in Sharpe's narrative the Spanish treaty is still only part of a collection of Wentworth's *in extremis* attempts to save his master's throne and most of the burden of the treaty's failure is placed on Spanish withdrawal in the face of the Catalan Revolt.<sup>6</sup> Older studies, engrossed as they are in locating the domestic origins of the civil war, neglect the episode entirely. Even Conrad Russell, who sought to broaden the horizons of the history of the civil war and look beyond the borders of England, found this effort worth only a single, brief paragraph and summarily dismissed the treaty as impossible in view of simultaneous Spanish complications in Catalonia.<sup>7</sup> Caroline Hibbard found value in the negotiations as illustration of the circumstances lending credibility to rumors of Popish plotting in the Caroline court on the eve of the civil war, but likewise treats the negotiations as fundamentally infeasible given Spanish difficulties in Catalonia.<sup>8</sup>

The only effort to place the negotiations in their proper international context belongs to the historian of Spain J.H. Elliott, principally in his short article, "The Year of the

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<sup>5</sup> C. V. Wedgwood, *The King's Peace, 1637-1641*, (London, 1955), pp.328-329.

<sup>6</sup> Kevin Sharpe, *The Personal Rule*, (New Haven, 1992), pp.897-899.

<sup>7</sup> Conrad Russell, *Fall of the British Monarchies*, (New York, 1991), p.129.

<sup>8</sup> Caroline Hibbard, *Popish Plot*, (Chapel Hill, 1983), pp.124, 163-164.

Three Ambassadors.”<sup>9</sup> In part a consequence of its brevity, Elliott’s account tends to present the negotiations in isolation of the *longue durée* of Anglo-Spanish relations and so obscures their relation to the much larger diplomatic projects of the preceding decade. The 1640 treaty negotiations are thus made a mutual whim of Olivares and Wentworth, who “for a few brief months in the spring of 1640, each saw the other as essential to his own salvation.” For Elliott, the main purpose of the episode is to present a case study in the capacity for megalomania and delusions of grandeur on the part of royal favorites. In its details, Elliott like Gardiner, sees nothing but “a futile end to a futile affair.” Elliott likewise presents the conviction that Spain lost all interest in the agreement as well as any capacity of honoring it after the Catalan Revolt. Indeed, Elliott’s pronouncement is the root of much of the scholarly consensus on the matter as Elliott’s article forms the bulk of Hibbard, Russell, and Sharpe’s knowledge of the affair.

While the present chapter will agree with much of Elliott’s account in the particulars, it will also make some important departures. The displays of interest on both sides of the negotiations suggest they were far less futile than in Gardiner or Elliott’s appraisals. Far from removing Spain from the table, the primary effect of the Catalan Revolt seems to have been to increase, not diminish, Spain’s desire to see the treaty concluded. By the end of the summer of 1640, Olivares and Philip IV were ready to consent to a treaty that they both knew Charles was likely years away from observing. In part this was for the propaganda value of finally securing the much-vaunted Anglo-

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<sup>9</sup> J. H. Elliott, ‘The Year of the Three Ambassadors,’ Jones, Pearl, and Worden, Eds., *History and Imagination: Essays in Honor of Hugh Trevor-Roper*, (New York, 1981), pp.165-181.

Habsburg alliance, but much more immediately, they desired the quick reinforcement of Spain's armies in Flanders and Catalonia with an influx of over 10,000 Irish recruits. Similarly, lack of money was never presented as an objection in Spanish discussions of the negotiations, and the Spanish councilors were much more preoccupied by questions of England's capacity to assist Spain. Even with Charles's continuously diminishing potential, that the Spaniards were repeatedly willing to discard provisions that they had previously insisted upon demonstrates their eagerness to obtain access to the more reachable provisions of the treaty. When the collapse of Charles's war effort against the Scots in 1640 and his subsequent dependence on Parliament finally put the negotiations to rest, the chapter of Anglo-Spanish relations that began with the 1630 Treaty of Madrid came to an end.

### **I. Scotland at home, 1637-1639**

The troubles in Scotland that would eventually overturn Charles's authority throughout his three kingdoms had a long prelude. James VI and I had managed to bring most of the Scottish nobility to heel and had successfully imposed a regalist and episcopal order on the Scottish church via the "Black Acts" of 1584.<sup>10</sup> These gains were later solidified in the Articles of Perth passed successively through a General Assembly of the Kirk and a Scottish Parliament in 1618 and 1621, respectively.<sup>11</sup> These articles,

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<sup>10</sup> David Mullan, *Episcopacy in Scotland*, (Edinburgh, 1986), pp.56-61.

<sup>11</sup> Ian Cowan, "The Five Articles of Perth," Duncan Shaw, Ed., *Reformation and Revolution*, (Edinburgh, 1967), pp.160-177.

which prescribed certain rites and ceremonies intended to bring the Church of Scotland gradually into conformity with the Church of England, immediately aroused opposition. James knew his Scottish subjects well enough not to insist too stringently on their observance.<sup>12</sup> While the Scots had chafed against the problems of an absentee monarch since James's move to London in 1603, their frustration grew all the greater with Charles's accession in 1625. Raised in an English court and accustomed to English manners, Charles appeared foreign to his Scottish subjects, and he in turn viewed them with the traditional disdain and contempt Englishmen generally felt for their northern neighbors. Cultural differences aside, Charles gave the Scottish nobles more concrete grievances through his choices in government officers, often drawn from outside traditionally dominant circles and favoring Anglicized nobles. Just as infuriating as this favoritism was the government's consistent opaqueness. Royal authority in Scotland continually suffered from Charles's chronic inability and disinterest in communicating his desires and rationales for policy to his Scottish subjects. Scottish lords were accustomed to being consulted and advising their monarch; under Charles they were simply expected to obey.<sup>13</sup>

Despite these difficulties, however, by 1636, Charles had succeeded in establishing a firm foundation for royal authority in Scotland. The discussions of an Anglo-French alliance in the aftermath of Arundel's mission to Vienna even offered the

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<sup>12</sup> David Stevenson, *The Scottish Revolution*, (Newton Abbot, 1973), pp.23-24.

<sup>13</sup> Stevenson, *The Scottish Revolution*, pp.16-20, 30-35. Peter Donald, *An Uncounselled King*, (London, 1990), pp.14-27. For a comprehensive study of the effects of Caroline government on Scotland, see: Maurice Lee, *The Road to Revolution: Scotland under Charles I, 1625-1637*, (Urbana, 1985).

prospect of a national reconciliation in which king and people could unite in a popular war against the Habsburgs for the cause of restoring the Palatinate.<sup>14</sup> This apparent recovery would not last, and the seeds of discord would be sown by Charles himself. Despite James's success in imposing bishops and some semblance of a *via media* ceremonial to the Scottish church via the Articles of Perth, the provisions remained unpopular in Scotland and most Scottish churchmen still subscribed to an essentially presbyterian and conciliarist ecclesiology. Rejecting anything resembling the English Convocation and the clergy-laity distinction implicit to such a church polity, the Scots insisted that supreme authority in the Kirk was found only in a General Assembly, which included laymen as well as clergy.<sup>15</sup> Furthermore, the Articles of Perth were routinely ignored in many Scottish parishes. While James had been content with the Articles' passage and had stopped short of demanding their exact application, Charles, in keeping with his passion for ecclesiastical renewal and uniformity, grew increasingly hostile toward the rampant nonconformity in Scotland. Charles further antagonized the Scottish church with his imposition of the new Canons of 1636 in January of that year, which sought, among other things, to obligate the observance of the Articles of Perth. Among the staunchly Calvinist Scots, the new Canons, already suspect for their emphasis on episcopacy and ritual were further tarnished by association with the perceived

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<sup>14</sup> Sharpe, *The Personal Rule*, pp.769-771.

<sup>15</sup> Russell, *Fall of the British Monarchies*, p.29.

Arminianism in the English Church, epitomized by the churchmanship of men like William Laud, Archbishop of Canterbury, and Matthew Wren, Bishop of Ely.<sup>16</sup>

With strong encouragement by Laud, Charles in 1634 instructed the Scottish bishops to begin assembling a prayerbook on the model of the English Book of Common Prayer. While the Scottish bishops were wise enough to dissuade Charles from simply imposing the English book *in toto*, the resulting liturgy was still similar enough to rouse the suspicions of many Scots who saw in it an attempt to surreptitiously lead the nation back into the Catholic fold.<sup>17</sup> Long before the book was ready for use, it already had an ample party of Scottish ministers and laity who opposed it on principle. When the prayerbook was presented to the Scottish Privy Council in October 1636, its reputation among the general population was already marred given the widespread religious discontent brought on by the 1636 Canons.<sup>18</sup> Ignoring the distempers, royal officials publicly scheduled the liturgy's introduction for 23 July 1637, and thus its first use was eagerly awaited by its many opponents who had a long advance notice with which to plan their reaction.

When 23 July arrived, the resentment at the book's perceived Catholicism, Arminianism, and Englishness translated into a violent rejection of the new liturgy throughout Scotland. When Charles received news of the popular tumults that resulted, his only response was indignation at what he perceived as a flouting of his authority. Charles consistently failed to take the concerns of the Scots seriously through the critical

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<sup>16</sup> Stevenson, *The Scottish Revolution*, pp.56-59.

<sup>17</sup> Donald, *Uncounselled King*, pp.33-40. Gordon Donaldson, *The Making of the Scottish Prayer book of 1637*, (Edinburgh, 1954), pp.41-56. Stevenson, *The Scottish Revolution*, pp.42-45.

<sup>18</sup> Stevenson, *The Scottish Revolution* pp.46-47.

months of summer and autumn 1637, and thus further enflamed the resentment of the Scots against their distant king.<sup>19</sup> In early 1638, the assembled Scottish lords and churchmen (excluding the much-despised bishops) submitted a petition asking Charles to rescind his insistence on the prayerbook and the Canons of 1636. Charles flatly refused to consider the petition, insistent on his prerogative. Faced with royal intransigence, the Scots dug in their heels and drafted the National Covenant, by which they bound themselves together until their grievances were redressed. The document was signed by the nobles and churchmen on 28 February 1638, and promptly began circulating among the general population and gaining new subscribers everywhere it went.<sup>20</sup> Charles dispatched the Scottish Marquis of Hamilton, his kinsman and ally, to mediate in May 1638, but Hamilton quickly found that the Covenanters had become as intractable as the king. They would accept nothing less than the relaxation of the ecclesiastical controls Charles had erected in Scotland and the repeal of the Canons and the prayerbook. After reporting to Charles in Whitehall, Hamilton returned to Scotland in July in effort to sow divisions among the Covenanters through offers of concessions. These efforts proved futile, for Charles himself had issued a proclamation on 4 July which made only vague promises to consider the Covenanters' grievances. This only further galvanized the rebels' resolve, and Hamilton found them more united and unyielding in July than in May.<sup>21</sup>

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<sup>19</sup> Donald, *Uncounselled King*, pp.45-65. Stevenson, *The Scottish Revolution*, pp.60-79.

<sup>20</sup> Stevenson, *The Scottish Revolution*, pp.81-84.

<sup>21</sup> Donald, *Uncounselled King*, pp.78-91. Stevenson, *The Scottish Revolution*, pp. 93-98.



In England, Charles was strongly encouraged to be inflexible by Laud and also by Thomas Wentworth. Both insisted that the Scots would simply have to be obliged to obey and if necessary, by force. With such counsel, Charles by June 1638 had already resolved to begin gathering sufficient forces to invade Scotland, and Hamilton's July mission seems to have been little more than an attempt to buy time while the royal forces mobilized. Wentworth in particular was adamant that the only solution and safeguard of Charles's authority was to intimidate the Scots into submission with a show of force. All the king's ministers at this point underestimated the popular support enjoyed by the Covenanters and assumed that the whole movement would collapse in the face of a royal army. On the Scottish side, the Covenanters reached similar conclusions and had begun making their own military preparations in July 1638.<sup>22</sup> A military confrontation was thus deemed inevitable on both sides, guaranteeing the discord that followed.

Hamilton returned to Scotland in September 1638. He offered only nominal concessions which the Scots refused to consider, insisting on the sum total of their demands. Chiefly, they wanted Hamilton, as Charles's representative, to authorize the calling of a General Assembly of the Kirk, which Hamilton at first refused to do.<sup>23</sup> Finally, when it became clear that he would not be able to prevent it, Hamilton agreed to allow the Assembly, although he did all he could during October to disrupt and preempt its agenda.<sup>24</sup> With much trepidation, Hamilton presided over the opening of a General

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<sup>22</sup> Sharpe, *The Personal Rule*, pp.792-797. Stevenson, *The Scottish Revolution*, pp.99-101.

<sup>23</sup> Stevenson, *The Scottish Revolution*, pp.102-112.

<sup>24</sup> Donald, *Uncounselled King*, pp.97-109.

Assembly at Glasgow on 21 November 1638. When he realized that the gathered nobles and clergy would not accept any direction from him, and after they refused to be dissolved, Hamilton left Scotland on 28 November, declaring the illegality of any acts they might adopt in his absence. Free from Hamilton's interference, the Glasgow Assembly set about deconstructing the entire edifice of the royal supremacy and episcopal polity erected by James and Charles. By 20 December, the members were sufficiently satisfied with their purification of the Kirk and dissolved themselves, leaving the Assembly's acts to be ratified by an anticipated Scottish Parliament.<sup>25</sup> Expecting the armed struggle with the king's forces, the Covenanters in January 1639 issued a call to their compatriots in the Protestant armies of the Continent to return home to save the Kirk. Many Scots in Dutch and Swedish service answered the call, arriving throughout the first half of 1639. English ships in May 1639 intercepted several of them, causing Charles to begin suspecting foreign abetting of the Scottish crisis. Charles also had cause to believe the Covenanters were assisted by his English subjects. On 4 February 1639, the Scots printed an appeal to the "Christians of England" to join them in their opposition to episcopacy, Arminianism, and Catholicism. Charles responded by declaring any who aided the Scots seditious traitors in a proclamation of 27 February.<sup>26</sup> The Covenanters fervently believed that their plight would find sympathy among the godly of England and believed that if they could induce Charles to call an English Parliament, it would be their

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<sup>25</sup> Donald, *Uncounselled King*, pp.109-111. Stevenson, *The Scottish Revolution*, pp.116-126.

<sup>26</sup> Stevenson, *The Scottish Revolution*, pp.128-132.

salvation.<sup>27</sup> Charles in turn was left doubtful of his English subjects' loyalties, only furthering his desire to avoid calling a Parliament.

Charles's military preparations proceeded far more slowly than the king or his ministers had anticipated, and the planned campaign for March 1639 dissipated due to delays in gathering men and materials.<sup>28</sup> When the English advance finally began in April, it proceeded at a snail's pace to the border, as Charles held out hopes that the Scots would seek to negotiate once they heard the English army was on the move. This tarrying of the army only served to increase expenses and also to foment dissent among Charles's own officers, many of whom were sympathetic to the Covenanters' grievances. The Lord Saye and Sele, and Lord Brooke both gained notoriety in the king's camp by refusing to take the military oath, questioning the royal prerogative, and demanding that Charles summon an English Parliament.<sup>29</sup> In May, the two opposing forces came into contact in a series of small, inconclusive encounters. While none of these incidents were decisive, they sharpened the English commanders' awareness of the limitations of their assembled force. The English army was poorly trained, ill-equipped, and worst of all, suffered from poor morale. The unwillingness of many counties to part with their stores of arms and their men had made the king's array less impressive than he had hoped, and also made him loath to risk a serious battle.<sup>30</sup> The decisive moment came on 4 June when

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<sup>27</sup> Mark Fissel, *The Bishops' Wars*, (New York, 1994), p.6.

<sup>28</sup> *Ibid.* p.14.

<sup>29</sup> Fissel, *The Bishops' Wars*, pp.18-21. Donald, *Uncounselled King*, pp.141-151.

<sup>30</sup> Stevenson, *The Scottish Revolution*, pp.143-145. Fissel, *The Bishops' Wars*, pp.22-26.

the English cavalry at Kelso retreated in the face of what they believed to be a superior Scottish force, leaving the main English army without cavalry support. Deprived of their scouting abilities and convinced the Scots were at least as large, if not larger, than themselves, Charles on 8 June opened negotiations with the Scots.<sup>31</sup> The talks began on 11 June and continued through 18 June 1639 when the resulting Pacification of Berwick was signed by the king and the covenanters. In the agreement, the Covenanters agreed to disband their army and not to insist that Charles recognize the acts of the Glasgow Assembly. For his part, Charles was obligated to summon both a Scottish Parliament and a General Assembly of the Kirk in August 1639 which would be tasked with settling the disputes between Crown and people.<sup>32</sup> The agreement satisfied no one and its unraveling began almost as soon as it was signed. Charles was unhappy with the defeat of his religious policy and the dishonor done to his authority, while the Covenanters did not trust Charles's promises which were far too vague to offer any concrete assurances for the redress of grievances.

Despite dissatisfaction, Charles kept his word and both the General Assembly and Scottish Parliament opened in August. The General Assembly came first on 12 August 1639 and the Scots proved just as dogged in their insistence on their religious liberties as they had been at the disavowed Glasgow Assembly. Charles's representative, the Earl of Traquair, was authorized by the king to surrender episcopacy and the prayerbook but only in a manner that defended their use in England. The Scots preferred a form which

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<sup>31</sup> FIssel, *The Bishops' Wars*, pp.26-29, 33-34.

<sup>32</sup> Stevenson, *The Scottish Revolution*, pp.151-158.

lambasted both the bishops and the liturgy as innately popish and antichristian. Intimidated by the Assembly, Traquair angered Charles by agreeing to concessions on these and other questions that Charles had not authorized. He likewise signed, as Charles's proxy, the Scots' National Covenant.<sup>33</sup> The Scottish Parliament opened on 31 August, intent on ratifying the acts of the General Assembly. Traquair throughout September struggled to undo the damage he had done in the Assembly and force the Parliament's acts to reflect Charles's desires, but to no avail. By October, it was clear the Scots would not adopt any positions acceptable to Charles. Desperate for instructions from the king, Traquair delayed the final voting until 14 November. In the interim, Charles, again under counsel from Wentworth and Laud, opted to prorogue the Parliament until 2 June 1640, by which time he expected to have assembled another army and imposed his own order on Scotland.<sup>34</sup> When Traquair addressed the reconvened Parliament on 14 November 1639 and informed them of the king's decision to prorogue until the following June, the members were predictably enraged. Traquair dissolved the Parliament, and the Covenanters resolved thenceforth to conduct their business outside the royal-controlled institution of Parliament. The Pacification of Berwick had completely disintegrated.<sup>35</sup>

The news did not go over well in London, where the king's Council of War led by the bellicose pair Wentworth and Laud urged Charles to take aggressive action. Wentworth

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<sup>33</sup> Ibid. pp.163-165.

<sup>34</sup> Ibid. pp.169-175.

<sup>35</sup> Ibid. pp.176-177. Sharpe, *The Personal Rule*, pp.834-837.

had reconstituted the Council and the Committee for Scottish Affairs to be little more than an echo chamber for his authoritarian views. Dissenting peers and councilors were excluded, further alienating the Englishmen sympathetic to the Scots.<sup>36</sup> At a meeting of the Scottish Affairs committee on 27 November and later the Privy Council on 5 December, both bodies advised Charles that it would be necessary to call an English Parliament to finance further military action against Scotland.<sup>37</sup> Charles's military forces were badly in need of money to remain in serviceable condition. What resources the king had stored up over the decade had been exhausted in the fruitless campaigning of summer 1639 and the royal coffers were now woefully ill-equipped to front the considerable costs of keeping an army in the field for another campaign season.<sup>38</sup>

Charles had been even more opposed to calling an English Parliament than usual throughout 1638-1639 due to his fears of English sympathies aroused by Scottish propaganda. Appeals to the English public like that issued by the Covenanters in early 1639 were followed by numerous pamphlets and newsletters which drew comparisons between the Scottish grievances and English complaints about ship money, the ecclesiastical court of high commission, and the Laudian reform of the Church of England. Along with his proclamation declaring any who listened to Scottish appeals to be traitors, Charles in late February was sufficiently concerned about these publications and the sentiments they were arousing to dispatch orders to all magistrates to suppress

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<sup>36</sup> Fissel, *The Bishops' Wars*, pp.39, 71-72, 86-87.

<sup>37</sup> Stevenson, *The Scottish Revolution*, p.178.

<sup>38</sup> Sharpe, *The Personal Rule*, pp.851-852. Russell, *Fall of the British Monarchies*, pp.77-78.

and confiscate them wherever they were found.<sup>39</sup> At the outset of the rebellion in 1637, the general population in England seems to have had little affection to the Scots and paid the uprising scant attention.<sup>40</sup> Discontent had steadily climbed with the impositions and financial burdens related to Charles's call for arms in 1638. Several counties were non-compliant in surrendering their arsenals to government use and resentful at having their militia drawn away, especially as French, Dutch, and Spanish battle fleets moved in and out of the English Channel. When October 1639 saw massed Dutch and Spanish fleets battling on England's front doorstep in the Battle of the Downs, the English coasts were virtually denuded of land forces, which heightened fears of foreign landings.<sup>41</sup> With this increased discontent rose the demands for Charles to call the English Parliament. The protests of Lord Brooke and Lord Saye and Sele regarding the army oath in 1639 were also conjoined to demands for a Parliament. At Berwick, shortly after the signing of the Pacification, Charles received further public requests for a Parliament from his assembled English subjects.<sup>42</sup> Charles's ministers were hopeful that the Pacification would solve the crisis because the festering of the Scottish ulcer had allowed the political climate in England to turn steadily against the king's policies. Emboldened by acts of defiance like those of the Lords Brooke and Saye and Sele, pamphlets and public discussions had begun spreading throughout the kingdom about the limits of royal authority and the

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<sup>39</sup> Donald, *Uncounselled King*, pp.175-182. Sharpe, *The Personal Rule*, pp.813-816.

<sup>40</sup> Sharpe, *The Personal Rule*, pp.795-797.

<sup>41</sup> *Ibid.* pp.809-813.

<sup>42</sup> Russell, *Fall of the British Monarchies*, pp.80-81,84.

circumstances under which subjects might rightfully disobey a prince.<sup>43</sup> Furthermore, despite Charles's efforts to suppress them, Scottish propaganda and appeals to the people of England continued to spread throughout the English population, who began renewed attacks on Charles's and Laud's religious policy.<sup>44</sup> When the peace broke down in November 1639, Charles and his ministers were forced to concede that a Parliament was needed, for without subsidies to fund another campaign against the Scots, Charles, as Laud put it, would be "no more king of Scotland than of China."<sup>45</sup>

## II. Scotland Seen from Abroad, 1637-1639

The winter of 1637-1638 marked the lowest point of Anglo-Spanish relations during the decade, and for the first time since the peace of 1630 it looked as though the two nations might slide back into open warfare with one another. Charles's negotiations with the French, commonly known to all observers, did nothing to ease the Spaniards' fears, and it was in this period that Gerbier had gloated over the terror-stricken ministers in Brussels.<sup>46</sup> That war did not erupt was the result of three factors: the failure to conclude the proposed French alliance, the interposition of the Princess of Pfalzburg to promote a new round of plausible negotiations in Brussels for the restoration of the

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<sup>43</sup> Ibid. pp.85-88.

<sup>44</sup> Hibbard, *Popish Plot*, pp.112-114. Sharpe, *The Personal Rule*, pp.816-824.

<sup>45</sup> Sharpe, *The Personal Rule*, p.837.

<sup>46</sup> Ch. 2, II. Ch. 5, I.



Palatinate, and the eruption of the rebellion in Scotland following Charles's ill-advised efforts to impose an English-style prayer book on his northern kingdom. The third of these factors was by far the most significant, and was in part the cause for the failure of the French negotiations, since Charles believed the French to have some ties to the rebels.<sup>47</sup> The Pfalzberg negotiations soon became another casualty of the Scottish rebellion: once the Spaniards viewed themselves as freed from the threat of war, they accordingly allowed the Brussels treaty to wither on the vine. The situation in Scotland only worsened as time went on and the failure of Charles in the summer of 1638 to reach a negotiated and peaceable settlement with the Covenanters via the Marquis of Hamilton made military action increasingly likely, further removing Charles from his international affairs.<sup>48</sup>

For all the troubling rumors and scattered reports that found their way to the Continent from Britain, Charles's agents in the field were woefully uninformed as to the state of affairs at home. The silence of official channels about the progress of the revolt stands as testament both of the disarray the events were causing in the Caroline court as well as the embarrassment and vain hopes of Charles and his ministers that the news could be suppressed before damaging his projects abroad. Yearning to know the truth and unsure how to respond to the questions and statements he heard from Spanish ministers in Brussels, Gerbier wrote in June 1638 pleading for more information. Reluctant to say anything concrete, Secretary Windebank only commended Gerbier on

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<sup>47</sup> Sharpe, *The Personal Rule*, pp.826-828. Donald, *Uncounselled King*, pp.182-189.

<sup>48</sup> Russell, *Fall of the British Monarchies*, pp.55-60.

the judicious silence he had been forced to adopt: “For the business of Scotland you have hitherto made so discrete answers upon occasions that you neede no farther instructions when His Majestie shall direct more particulars you may be sure shall have them.”<sup>49</sup> Despite Windebank’s taciturnity, Gerbier could easily avail himself of the wide array of news that was current in Brussels, all of it bad for England. He was especially frustrated due to the adverse effect the news exercised on his negotiations with the Cardinal-Infante and the Princess of Pfalzburg, and by early 1639 reported that public knowledge of Scottish affairs had all but aborted the treaty.<sup>50</sup> Despite his efforts to put a good spin on anything the Spaniards had heard, Gerbier was dependent for his news on many of the same sources. As late as March 1639 he begged of Windebank that, given the constant ill-reports and rumors taken for true in Brussels and elsewhere, “it wilbe necessary his Majesties ministers abroad be provided with true relations to putt many hasty and ill informed or ill disposed tongues unto silence,” and was in the meantime forced to resort to his merchant contacts to gain accurate information.<sup>51</sup>

While Gerbier was scrounging for news, Madrid and Brussels were both kept abreast of the latest developments through the copious reports of Philip’s resident in London, Alonso de Cardenas. Cardenas had kept an eye on events in Scotland since the first stirrings in 1637, but by the time of Hamilton’s ill-fated journey in the summer of 1638 he was certain the event was significant enough to demand the attention of his

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<sup>49</sup> Windebank to Gerbier, 15 June 1638, TNA SP77/28 f.317v.

<sup>50</sup> Gerbier to Windebank, 12 February 1639, TNA SP77/29 f.68.

<sup>51</sup> Gerbier to Windebank, 5 March 1639, TNA SP77/29 f.94. Gerbier to Arundel, 19 March 1639, TNA SP77/29 f.113. Gerbier to Walker, 30 April 1639, TNA SP105/16 p.120.

master in Madrid. “The matters of Scotland are in a rough state and it seems without doubt that hand will be put to sword,” he wrote, finding that by 1638 Charles viewed a military solution as a foregone conclusion.<sup>52</sup> Detailing Charles’s military preparations and the prospect that the English would soon be embattled at home, Cardenas also noted Charles’s fears of rampant Puritanism in England. Observing that Charles strove to exclude known Puritans from military commands and comparing reports of the Covenanters’ rhetoric in Scotland, Cardenas viewed the threat as genuine and warned that “if their design is to cast off the yoke of obedience under cover of religion, as the Puritans opposed to monarchical government are inclined to do, there is great cause to fear a great conflagration.”<sup>53</sup> By October, Cardenas confirmed that all hope of negotiated settlement had been abandoned and that a military confrontation was imminent, whose outcome he predicted could have dire consequences for Spain’s interests in England.<sup>54</sup>

Philip and the Cardinal-Infante both followed these reports with great interest, and they demanded that Cardenas keep them coming with as much detail and regularity as he could manage.<sup>55</sup> The Cardinal-Infante in particular was keen to see Charles busied at home and thus removed as a threat to the Spaniards’ embattled position in Flanders, and was quick to advise his royal brother to make the most of the occasion to oblige Charles

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<sup>52</sup> Cardenas to Cardinal-Infante, 8 June 1638, AGR SEG 368 f.21. Fissel, *The Bishops’ Wars*, pp.3-10.

<sup>53</sup> Cardenas to Salamanca, 25 June 1638, AGR SEG 368 f.36.

<sup>54</sup> Cardenas to Salamanca, 8 October 1638, AGR SEG 368 f.158.

<sup>55</sup> Cardinal-Infante to Cardenas, 18 September 1638, AGR SEG 220 f.239.

to offer Spain concessions apart from the nuisance of the Palatinate negotiations.<sup>56</sup> How best to take advantage of the situation was less clear, however, and Spain was content to merely observe for most of 1638. While Charles's increasingly dire predicament made him less and less a direct threat to Spain, it was not long before the prospect of revolutionary tumults in England seemed to represent a different but no less distinct danger. In light of reports surfacing in the summer that the Dutch and French were planning a combined assault on the Flemish coast, which Spanish forces would be hard-pressed to resist without assistance from the English fleet, Charles's removal from European affairs seemed just as problematic as his greater involvement. Wary of the Franco-Dutch preparations, Cardenas had attempted to secure promises from the English ministers to maintain the peace in the Channel in accordance with the claimed sovereignty of the seas, but found the English too consumed with Scottish affairs to offer more than general assurances.<sup>57</sup> In the face of these challenges, the Spaniards began to be persuaded that it was in their interest to prop Charles up against his domestic foes.

Across the Channel, Charles and his ministers were finding a closer relationship with Spain to be more and more attractive. Abandoning the warlike spirit that had put him near to making an alliance with the French in 1637-1638, Charles withdrew from the French convinced that Richelieu had given encouragement to his Scottish rebels.<sup>58</sup> The ambassadors of France and Venice, both opposed to Habsburg power and hopeful to keep

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<sup>56</sup> Cardinal-Infante to Philip, 30 September 1638, AGR SEG 220 f.223v.

<sup>57</sup> Cardenas to Salamanca, 2 July 1638, AGR SEG 368 f.47v.

<sup>58</sup> Hibbard, *Popish Plot*, pp.74-77. Sharpe, *The Personal Rule*, pp.533-536.

England out of Spain's grasp, quickly recognized throughout 1638-1639 that Charles was losing sight of all other concerns, including the Palatinate, and was thus susceptible to Spanish overtures.<sup>59</sup> The first proposals for direct aid to Charles actually originated on the English side. Concurrently with Hamilton's empty-handed return from Scotland in July, Cardenas was approached by an English courtier, who he identified in his letter to Olivares as Endymion Porter.<sup>60</sup> Citing the desire of Charles for good correspondence with Spain, Porter proposed that Philip offer Charles assistance against the Scottish rebels in return for naval aid to Dunkirk and Gravelines in the event of Franco-Dutch attack.<sup>61</sup> Reporting this development to Philip and seeking additional instructions for how to proceed with the matter, the Cardinal-Infante wrote that in the meantime he had ordered Cardenas to keep the option open while not committing to anything.<sup>62</sup> Taking interest and encouraging further exploration, Philip's initial response was nevertheless cautious. Acknowledging the value in "the rebellion of Scotland to secure for us the king of England," Philip warned the Cardinal-Infante to proceed only when he could be sure of the sincerity of the offer.<sup>63</sup> Within a week and after receiving more updates from London, Philip wrote again informing the Cardinal-Infante and Cardenas of his decision

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<sup>59</sup> Fissel, *The Bishops' Wars*, p.46.

<sup>60</sup> Philip to Cardinal-Infante, 7 September 1638, AGR SEG 220 f.23.

<sup>61</sup> Cardenas to Salamanca, 16 July 1638, AGR SEG 368 f.78.

<sup>62</sup> Cardinal-Infante to Philip, 28 July 1638, AGR SEG 219 f.473. Salamanca to Cardenas, 24 July 1638, AGR SEG 368 f.81v. Cardinal-Infante to Cardenas, 31 July 1638, AGR SEG 368 f.96.

<sup>63</sup> Philip to Cardinal-Infante, 7 September 1638, AGR SEG 220 f.23.

to make an offer of aid to Charles against the Scots.<sup>64</sup> This offer was to be more demonstrative than substantive, however, for Spain still had too little faith to exert too much effort on Charles's behalf. Philip, in his instructions to Cardenas, stated that it was plainly to his own advantage for Charles to be encumbered at home but that an offer would at least have the effect of showing the King of England that Spain could be trusted, to the detriment of France and Holland, whom rumors placed in league with the Scottish rebels. Citing the similar case of the French invasion of Navarre, Philip concluded "we can vindicate ourselves while having been attacked in Spain we had not received a word of succor from that king [...] it will not hurt to not shut the door until it can be seen if something can be agreed for the common good."<sup>65</sup> Thus Philip hoped to both oblige Charles with his expressions of good will while withholding serious aid in hopes that desperation might incline the English to some substantial concessions.

The Cardinal-Infante was especially hopeful that Charles's current troubles were the solution to Spain's thus-far failed efforts to cajole him into an offensive league against France and Holland. In late September, he was so confident about the prospective talks that his most pressing concern was only whether any demand that Charles honor the agreement signed between Cottington and Olivares in 1631 should include provisions for the Palatinate, or whether the matter should be negotiated apart.<sup>66</sup> Delays in the mail meant it was November when Philip's authorization from September arrived in northern

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<sup>64</sup> Philip to Cardinal-Infante, 13 September 1638, AGR SEG 220 f.126.

<sup>65</sup> Philip to Cardenas, 13 September 1638, AGS E 2575 [unfoliated].

<sup>66</sup> Cardinal-Infante to Philip, 30 September 1638, AGR SEG 220 f.223v.

Europe.<sup>67</sup> During this lull, Spanish calculations continued to adjust in tune with new reports from England. By the end of 1638, Charles's dire straits were becoming clearer, and Madrid was becoming aware that the Scottish crisis was less an opportunity for advantage and more another emerging threat to Spain's international position. In a session of the Council of State in December, Olivares expressed his concerns that Charles's throne was threatened by Puritans who sought to transform England into a republic. Fearing that Charles would soon be obliged to summon Parliament, Olivares predicted that the body would necessarily be filled with Puritans who would never allow Olivares to realize his aim of recruiting England into an anti-Dutch alliance.<sup>68</sup> The Count-Duke made plain that he believed it was necessary to provide Charles with real assistance, possibly even by landing troops in England. By February 1639, the Cardinal-Infante had come to similar conclusions and warned Philip, "though that king will not break with your Majesty, neither would his Parliament permit it, the necessity of searching for aid which he cannot find with your Majesty could oblige him to rash action, in which many things can damage your Majesty's concerns even without open rupture."<sup>69</sup>

It was in these circumstances that Madrid and Brussels both toyed with the proposals of the Gage brothers, Colonel Henry of the English *tercio* and his brother George the priest.<sup>70</sup> The plan, that would have seen a force of 10,000 men from Flanders

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<sup>67</sup> Cardinal-Infante to Cardenas, 5 November 1638, AGR SEG 368 f.182.

<sup>68</sup> Council of State, 16 December 1638, AGS E 2521 [unfoliated].

<sup>69</sup> Cardinal-Infante to Philip, 27 February 1639, AGR SEG 221 f.174v.

<sup>70</sup> See Ch. 6, IV.

deployed against the Scots, immediately aroused Charles's interest, and all through late 1638, George and Henry Gage were actively soliciting the cooperation of Olivares and the Cardinal-Infante.<sup>71</sup> The English were considering the matter seriously enough that Hamilton even leaked news of the arrangement to the Covenanters in the hopes of intimidating them.<sup>72</sup> While the Cardinal-Infante's unwillingness to allow any of the hard-pressed Army of Flanders's veterans to serve in Charles's forces had put a damper on the proposals after February 1639, another important factor in aborting the project was the dramatic change in the northern European strategic situation following the Battle of the Downs that same year.<sup>73</sup> Apart from evaporating the likelihood of Spanish troops serving against the Scots, the battle had also increased the urgency with which Madrid viewed the unfolding events in England. Cardenas had spent much of the summer of 1639 trying to secure promises via Secretary Windebank that the English fleet would support the Spanish passage up through the Channel. Windebank had made great show of confidently dismissing Cardenas's concerns, assuring the Spaniard that despite the troubles with Scotland, Charles still had attention to spare for the Channel.<sup>74</sup> To Cardenas's satisfaction the fleet did make several sweeps of the Channel during August, and Charles's fortunes in Scotland also seemed on the ascent after the Pacification of

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<sup>71</sup> Fissel, *The Bishops' Wars*, pp.162-163.

<sup>72</sup> Hibbard, *Popish Plot*, pp.105-107. Russell, *British Monarchies*, p.80.

<sup>73</sup> R. A. Stradling, *Spanish Monarchy and Irish Mercenaries*, (Dublin, 1993) p.28. Stradling argues that in addition to the vulnerability of Flanders after the battle making the sending abroad of forces unthinkable, one of the major expectations of the Spaniards from the Gage proposal had been provision of adequate support for Oquendo's ill-fated fleet.

<sup>74</sup> Cardenas to Salamanca, 24 June 1639, AGR SEG 369 ff.243v-244.



Berwick had been concluded the preceding June.<sup>75</sup> The treaty with the Scots was only a momentary reprieve, however, and the fragile and untenable peace began unraveling about the same time Oquendo's fleet was fighting for its life in the Downs.<sup>76</sup> In early October, on the eve of the battle, Brussels received instructions from Madrid to begin negotiating Philip's proposed loan that would offer Charles an adequate sum of money to put his affairs in order in return for recruiting privileges in Ireland and effective English assistance in the Channel.<sup>77</sup> In early negotiations with Windebank, who continually projected confidence in his assertions of Charles's ability to keep the peace in the Channel, Cardenas outlined a basic proposal of a loan of 250,000 escudos—roughly 62,500 pounds sterling—supplemented with a grant of 100,000 escudos—25,000 pounds—in exchange for Channel protection and 10,000 Irish recruits.<sup>78</sup> When the standoff between Oquendo's ships and those of Tromp came to its climax on 21 October 1639, Windebank suspended the negotiations while waiting to see the result of the battle.<sup>79</sup>

Even before knowing the final outcome of the battle, Madrid had heard reports of the standoff in the Downs and the English fleet's unwillingness to intervene decisively to protect the Spaniards. Despite these ill omens, Philip made clear that he wished to maintain good correspondence with Charles and kept the negotiations for the loan open.

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<sup>75</sup> Cardenas to Salamanca, 12 August 1639, AGR SEG 370 ff.16-16v. Fissel, *The Bishops' Wars*, pp.18-39.

<sup>76</sup> Fissel, *The Bishops' Wars*, pp. 39-44. Russell, *Fall of the British Monarchies*, pp.66-68. Sharpe, *Personal Rule*, pp.834-837.

<sup>77</sup> Cardinal-Infante to Philip, 7 October 1639, AGR SEG 223 f.185.

<sup>78</sup> Cardenas to Cardinal-Infante, 21 October 1639, AGR SEG 370 f.147. Sharpe, *Personal Rule*, p.832.

<sup>79</sup> Cardenas to Cardinal-Infante, 22 October 1639, AGR SEG 370 f.152v.

Even after the remnants of the battered Spanish force lurched into Mardyck and Dunkirk and English maritime impotence was made plain, the Cardinal-Infante shared his brother's view and instructed Cardenas to go ahead with the negotiations.<sup>80</sup> Cardenas was outraged in the aftermath of the battle and little inclined to press on. He declared his small faith in England's promises and his belief that any money given to Charles would be a tremendous risk.<sup>81</sup> Nevertheless, reflecting the decisions made in Madrid and the needs of the Army of Flanders, the Cardinal-Infante ordered Cardenas to proceed with the negotiations despite the resident's ample and vehement complaints.<sup>82</sup> The rationale for this doggedness was supplied in a concurrent letter to the Marquis of Castañeda, Philip's ambassador at the Imperial court. The Cardinal-Infante warned the Marquis to take care to not allow the Emperor or Duke of Bavaria to do anything touching the Palatinate that could irritate England. The armada's defeat, he wrote, had left matters extremely sensitive and maintaining England's friendship or neutrality was crucial given the tremendous damage Charles could still inflict if he wished.<sup>83</sup> In Spain, Olivares and the Council of State felt that the Battle of the Downs represented an opportunity as much as a setback, for they believed that with his honor sullied, Charles would have no choice but to finally join hands with Spain against the Dutch.<sup>84</sup> Reflecting this spirit, Philip sent instructions to Brussels relating that in the wake of the Downs battle, he felt it more

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<sup>80</sup> Cardinal-Infante to Cardenas, 29 October 1639, AGR SEG 370 f.160v.

<sup>81</sup> Cardenas to Cardinal-Infante, 29 October 1639, AGR SEG 370 f.162.

<sup>82</sup> Cardinal-Infante to Cardenas, 5 November 1639, AGR SEG 370 f.191.

<sup>83</sup> Cardinal-Infante to Castañeda, [undated] November 1639, AGR SEG 224 f.11.

<sup>84</sup> Council of State, 14 November 1639, AGS E 2521 [unfoliated].

necessary than ever to make a strong show in England. While he was satisfied with Cardenas's services, he had decided it would be most effective to send an extraordinary embassy to England to impress on Charles the gravity of the offense which demanded compensation as well as the willingness of Spain to continue in friendship with England. He entrusted the selection to the Cardinal-Infante, and suggested among other names Antonio Sancho Dávila, Marquis of Velada, who was then serving as Veedor General of the Armada in Dunkirk.<sup>85</sup>

English interest ramped up heavily in December 1639 as Charles, recognizing that the Scots would soon become active again and faced with the prospect of seeing England invaded, decided to end eleven years of personal rule and summon Parliament.<sup>86</sup> Cardenas noted that while the news was greeted gladly by those he called Puritans, there was little joy in Whitehall and "those closest [to the king] run great risk."<sup>87</sup> Before the month was over, one of those to whom Cardenas doubtless alluded made his move. Thomas Wentworth, Charles's Lord Lieutenant in Ireland and already a noted friend of the Spaniards in their recruitment efforts in that kingdom, sent a servant to call on Cardenas on 28 December. When the servant inquired about the status of the loan discussed with Windebank prior to the Battle of Downs, Cardenas avoided any definite response, saying that while Spain was willing to pay much for Charles's services, he

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<sup>85</sup> Philip to Cardinal-Infante, 29 November 1639, AGR SEG 224 f.126. In addition to Cardenas's reports, Philip was similarly encouraged to undertake the diplomatic offensive through the urgings of the Duchess of Chevreuse, another of the anti-Richelieu exile community passing her time in England: Elliott, *Count-Duke*, pp.573-574. Sharpe, *Personal Rule*, p.830.

<sup>86</sup> Russell, *Fall of British Monarchies*, pp.90-92. Sharpe, *Personal Rule*, pp.851-852.

<sup>87</sup> Cardenas to Salamanca, 16 December 1639, AGR SEG 370 ff.281-281v.

would not commit to any articles or name any sums until he had heard from Madrid. Returning the next night, Wentworth's servant expressed that if Spain wanted permission to raise the 10,000 Irish they had requested it would require a loan of at least 400,000 escudos, roughly 100,000 pounds. Cardenas accepted this notice, but again deferred to orders from Spain.<sup>88</sup>

Days later across the Channel, the Cardinal-Infante decided to name the Marquis of Velada as extraordinary ambassador to England.<sup>89</sup> Within a week, Gerbier received word of Velada's commission in Brussels and reported it to London, though he could only speculate as to the reason, suspecting it would have something to do with demanding redress for the Battle of the Downs.<sup>90</sup> Madrid was also hard at work trying to determine what policy would be entrusted to the extraordinary embassy, realizing that conditions in England had changed rapidly from how they had stood in early 1639. In addition to Velada, Olivares desired to send a second extraordinary ambassador from Spain itself "to treat the matters with greater authority" and eventually settled on sending the Marquis Virgilio Malvezzi.<sup>91</sup> By March 1640, Olivares had settled on his program and announced to Philip that the two Marquises and Cardenas would be instructed to negotiate "the rupture of England with Holland, total provision for our efforts against France, and the complete securing of [Charles's] affairs in Scotland with only the

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<sup>88</sup> Cardenas to Salamanca, 30 December 1639, AGR SEG 370 ff.299v-300.

<sup>89</sup> Cardinal-Infante to Philip, 31 December 1639, AGR SEG 224 f.349.

<sup>90</sup> Gerbier to Windebank, 7 January 1640, TNA SP77/29 f.533.

<sup>91</sup> Council of State, 21 January 1640, AGS E 2521 [unfoliated].

friendship of Your Majesty and without calling Parliament.” Charles of course had already summoned the Parliament in December 1639, which Olivares knew, but the Count-Duke placed great stock in Charles’s famed antipathy for Parliaments, noting that Charles had called the body “against his dictamen and declared opinion to avoid it.” Going on to predict that the great diversity of religions in Charles’s kingdom would make any parliamentary consensus impossible, Olivares banked on the idea that Charles would readily grasp any means to avoid having to deal with Parliament at all.<sup>92</sup>

### III. January – May 1640

In part because the objectives for the negotiation were still under development throughout the opening months of 1640, it was some time before Velada actually crossed the Channel into England. Throughout January, Gerbier continued to gather snippets alluding to Velada’s purpose, and increasingly believed that Velada would be negotiating a new maritime treaty to regulate commerce and settle the still unresolved disputes about the Dunkirkers and recognition of Charles’s sovereignty of the seas.<sup>93</sup> Later, Gerbier

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<sup>92</sup> Council of State, 6 March 1640, AGS E 2521 [unfoliated]. ; Olivares’s strong belief in Charles’s intent to never summon another Parliament, bolstered by reports to the same effect from Juan de Neocolalde’s tenure (cf. Discourse of Neocolalde on Instructions of Councilor Radolt, 25 April 1636, AGR SEG 366 f.215), is at odds with the conclusions of some recent historians who do not find that Charles’s sense of royal authority was opposed to parliaments in principle. See, Sharpe, *Personal Rule*, pp.702-705. Anthony Milton, “Thomas Wentworth and the political thought of the Personal Rule,” Merritt, Ed. *The Political World of Thomas Wentworth*, (New York, 2003), pp.142-149. A countering voice is Richard Cust, who explains Charles’s decision to avoid war with Spain in 1638 as a product of his reluctance to call a Parliament: Cust, *Charles I*, p.127.

<sup>93</sup> Gerbier to Coke, 14 January 1640, TNA SP77/30 f.2v. Gerbier to Windebank, 14 January 1640, TNA SP77/30 f.11v.

even reported rumors that Velada would be going to propose a dynastic marriage between Charles's daughter Mary and the Spanish Infante Balthasar Charles.<sup>94</sup> This hinted sequel to the Spanish Match negotiations of the 1620s was occasionally toyed with in Madrid, and would hover in the background during the negotiations of 1640. In England, Cardenas believed it would be best to have Velada arrive as soon as possible, citing Charles's visible distaste as preparations continued for the opening of the Short Parliament and the news that the Scots had voted to break the Pacification of Berwick and renew armed insurrection against the king.<sup>95</sup> Also troubling was the news that Dutch emissaries had arrived in London with the stated intent to prevent any accord between Charles and the Spanish, and aiming for a renewal of the Treaty of Southampton which Charles had signed with the United Provinces in 1625 for military cooperation against Spain.<sup>96</sup> To Cardenas's relief, however, Charles's anger at Dutch impudence in the Downs was still fresh, and the king of England demonstrated himself to be hostile to both the Dutch and the French agents who were similarly campaigning for a more anti-Spanish policy. This only reinforced Cardenas's sense of urgency while awaiting Velada's arrival, as he declared the situation "in very apt state and disposition for us to win this king to our favor," and cited the shifting of Henrietta Maria to cooperation with the group about Wentworth as further evidence of the auspicious timing for the embassy.<sup>97</sup>

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<sup>94</sup> Gerbier to Windebank, 4 February 1640, TNA SP77/30 f.68.

<sup>95</sup> Cardenas to Salamanca, 14 January 1640, AGR SEG 371 f.46v. Donald, *Uncounselled King*, pp.209-239.

<sup>96</sup> Cardenas to Cardinal-Infante, 14 January 1640, AGR SEG 371 ff.48-48v.

<sup>97</sup> Cardenas to Cardinal-Infante, 20 January 1640, AGR SEG 371 ff.64-66.

The importance of Wentworth to these negotiations cannot be overestimated. The Cardinal-Infante, already positively inclined to him from his assistance in raising Irish levies for the tercios, was glad to hear that Wentworth had taken the initiative in renewing the talks for the proposed loan and deemed the requested sum of 400,000 escudos a reasonable starting point for discussion.<sup>98</sup> The trust placed in Wentworth was such that Cardenas was ordered to plan the negotiations around his itinerary. The secretary of State and War in Brussels, Miguel de Salamanca passed orders that Cardenas immediately report if Wentworth planned to return to Ireland, as “His Highness desires that the negotiations commence with his participation for the great satisfaction His Highness takes in how conducive it will be to have his intervention and hand in them.”<sup>99</sup> When Cardenas inquired about his travel plans while informing Wentworth of the great esteem the Cardinal-Infante placed in him, the Lord Lieutenant replied that he would be departing soon, but expected to return quickly.<sup>100</sup> Making the trip shortly after Charles created him Earl of Strafford, the newly minted earl visited Cardenas before his departure and “said that he was and has been Spanish in his heart and that he would be always, so that he deemed it extremely beneficial for his king to unite with Spain.” As Strafford would not return from his Irish errand until the beginning of April, Cardenas suggested that Velada’s arrival could be postponed to coincide, since Strafford’s presence at the

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<sup>98</sup> Salamanca to Cardenas, 14 January 1640, AGR SEG 371 f.44.

<sup>99</sup> Salamanca to Cardenas, 28 January 1640, AGR SEG 371 f.84.

<sup>100</sup> Cardenas to Salamanca, 10 February 1640, AGR SEG 371 f.98.

opening negotiations was considered indispensable.<sup>101</sup> Thus, while Velada delayed his departure continually throughout February and March of 1640, citing causes as diverse as reservations about the size of the house that would be assigned to him and controversy over the rank of the officer commanding the ship to transport him, it seems the delays were in part designed to guarantee Strafford's facilitation at all stages of the negotiations.<sup>102</sup>

Philip's announcement in early March that he would be sending Virgilio Malvezzi as a second extraordinary ambassador came as a shock, even to Brussels and Cardenas.<sup>103</sup> From Madrid, Hopton reported to London that Malvezzi was "a great confident of the Conde Dukes whoe goes to meet the Marquis de Velada in England and to carry instructions to him concerning their present dessignes"<sup>104</sup> Malvezzi seemed an odd choice, since he was a court historian maintained by Philip and a client of Olivares with no prior diplomatic experience. While he proved adept at his new task, his primary qualification in 1640 appeared to be his loyalty to the Count-Duke.<sup>105</sup> Velada only became aware of his co-worker in the field after he had arrived in England in early April, but looked forward to the effect three ministers would have on the negotiations with

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<sup>101</sup> Cardenas to Salamanca, 17 February 1640, AGR SEG 371 ff.110-111.

<sup>102</sup> Gerbier to Windebank, 25 February 1640, TNA SP77/30 f.77v-78. Cardenas to Salamanca, 9 March 1640, AGR SEG 371 f.157. Gerbier to Windebank, 24 March 1640, TNA SP77/30 f.114v.

<sup>103</sup> Philip to Cardinal-Infante, 6 March 1640, AGR SEG 225 f.114.

<sup>104</sup> Hopton to Windebank, 22 March 1640, TNA SP94/41 f.289v.

<sup>105</sup> Elliott, *Count-Duke*, pp.574-575.



Charles.<sup>106</sup> Cardenas said that the court was taken aback by the surprise of having three Spanish negotiators in their midst, and that the French and Dutch agents and their anti-Spanish allies “perceive the great pressure by which His Majesty seeks to force his negotiations and they feel it necessary to oppose them and seek to impede them.”<sup>107</sup> While he was still several days away from London, Malvezzi sent letters ahead to Velada and Cardenas in which he stated he bore the instructions for their negotiations and requested that they further delay their first common audiences so that the three ministers could approach Charles together.<sup>108</sup>

Apart from waiting for Wentworth’s return, the three Spanish diplomats had further reason for delaying their negotiations as they waited to see what would result from the sitting of the Short Parliament. Even before the first session on 23 April 1640, Cardenas did not foresee that Charles would gain much satisfaction from it, noting of the gathering members “they are not only Puritans but also disruptive men little affected to the service of this king.”<sup>109</sup> As the Parliament began, Velada and Malvezzi both arrived in the capital, almost concurrently with Strafford, who had hurried back from Ireland.<sup>110</sup> Velada postponed his first audience with Charles until 28 April, saying the delay was necessary to settle Malvezzi in their shared residence, but this was truly a device to give

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<sup>106</sup> Velada to Salamanca, 13 April 1640, AGR SEG 374 f.125v.

<sup>107</sup> Cardenas to Salamanca, 13 April 1640, AGR SEG 371 f.197v.

<sup>108</sup> Malvezzi to Velada, [undated] April 1640, AGR SEG 374 f.129.

<sup>109</sup> Cardenas to Salamanca, 23 March 1640, AGR SEG 371 f.180.

<sup>110</sup> Cardenas to Salamanca, 21 April 1640, AGR SEG 371 ff.207-208.

Strafford adequate time to reach the capital.<sup>111</sup> During this first audience, the three diplomats tried to sound out Charles's readiness to make common cause with Philip in exchange for aid against the Scots. Charles refused to make any committal statements and would not discuss them in any depth, requesting that the Spaniards submit their requests in writing to his secretaries.<sup>112</sup> While Charles understandably did not want to be pegged into any commitments, he doubtless was also holding out hopes that Parliament would vote him the supply he desperately needed. The Parliament, however, conducted itself much as Cardenas had suspected, and far from voting Charles funds to combat the Scots, immediately set to attacking the structures of the personal rule.<sup>113</sup>

Throughout early 1640, the elections for the Short Parliament dominated the political life in the counties of England. The fact that the elections took place concurrently with worrisome reports of the progress of the war in Scotland, the breakdown of the Pacification of Berwick, and new calls for troop mobilizations only served to increase the tensions in the localities and the sense that the kingdom was on the edge of a major crisis.<sup>114</sup> In this moment of appeal to Parliament, Charles was at a disadvantage. The preceding eleven years of the Personal Rule had done much to dispel the faith of the people in the monarchy. Charles's government was continuously underfunded and administrative presence and effectiveness in many areas suffered

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<sup>111</sup> Velada to Cardinal-Infante, 28 April 1640, AGR SEG 374 f.157.

<sup>112</sup> Ibid. f.159.

<sup>113</sup> Russell, *Fall of the British Monarchies*, pp.104-116.

<sup>114</sup> Fissel, *The Bishops' Wars*, pp.44-45.

accordingly. This decline in bureaucratic efficiency, combined with the opaqueness Charles always maintained around his policy decisions, had led many Englishmen to view all government projects with a fair amount of suspicion.<sup>115</sup> The latest trends at court, the rise of the Hispanophiles led by Strafford and the king's hawkish response to the Scottish crisis, only served to confirm the belief held by many that something was rotten at Whitehall.

The abrupt shift from the brink of war back to friendly neutrality toward Spain in 1638-1639 was also a major contributor to the heightened concerns of Charles's subjects, especially those who had previously rejoiced in 1637 when England seemed poised to finally join the European war against the Habsburgs. That this Spanish turn occurred concurrently with the Scottish rebellion reinforced further the fears of a Catholic conspiracy in the minds of significant numbers of Englishmen sympathetic to the Covenanter cause.<sup>116</sup> The Battle of the Downs in late October 1639 had been a mystifying event for many who wondered why the Spanish fleet was allowed to take shelter in English waters. While the Spaniards at the time had been greatly incensed at what they perceived as Charles's failure to provide them adequate support and protection, their Dutch adversaries and pro-Dutch Englishmen were in turn scandalized by what aid the Spaniards did receive in the form of munitions and transport of personnel. The Dutch emissaries in London at the time had freely spread among the city populace that the hidden intent of Oquendo's armada was to be a second 1588: that the soldiers carried in

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<sup>115</sup> See: M. B. Young. "Charles I and the Erosion of Trust, 1625-28," *Albion*, 22, (1990), pp.217-235.

<sup>116</sup> Hibbard, *Popish Plot*, pp.83-86. Sharpe, *The Personal Rule*, pp.828-831.

the Spanish ships' holds were intended to subjugate Scotland and ultimately England itself to royal, and ultimately papal, authority.<sup>117</sup> These rumors would remain current throughout 1640 and even long after, coloring popular perception of all the king's actions throughout this critical period.

Another cause for distress among godly Englishmen was the new alliance between Henrietta Maria and Strafford in the face of the Scottish uprising. The queen, while Catholic, had been consistently pro-French throughout much of the decade and thus had often been aligned with prominent advocates of pro-Protestant foreign policy, notably the Earl of Holland. With her husband's royal authority on the line, however, and given Charles's conviction that Richelieu had abetted the Scots, Henrietta Maria had shifted to join the royalist party centered on Strafford and other court Hispanophiles. To outside observers, this alliance seemed to provide clear evidence that there was now a unified "Catholic party" influencing the king's policy.<sup>118</sup> The popular response was a sudden spike in anti-Catholic literature in 1639-1640, in which a major recurring theme was the call for an English Parliament to unite with the Scottish Covenanters to liberate both kingdoms from the menace of a Catholic coup centered on the alliance of English Catholics and foreign powers, especially Spain.<sup>119</sup> One such publication that appeared in 1639 took the form of verses in praise of the Scots' rejection of Charles's ecclesiastic

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<sup>117</sup> Hibbard, *Popish Plot*, pp.156-157.

<sup>118</sup> Sharpe, *The Personal Rule*, pp.837-839, 842-847.

<sup>119</sup> Hibbard, *Popish Plot*, pp.145-147. For the general rise in anti-Catholic paranoia throughout the Scottish crisis and early part of the English Civil Wars, see: Robin Clifton, "The Popular Fear of Catholics during the English Revolution," *Past and Present*, 52, (1971), pp.23-55.

policy. In advocating similar action in England, the author ominously stated, “But God hath pull’d these Prelats down,/ in spight of Spain and Pope;/ So shall their next Eclipse/ in England Been I hope.”<sup>120</sup> For men like these, the religious and political troubles of England were always linked to the twin arch-villains of Spain and Rome.

With such attitudes spreading so quickly among the population, it comes as no surprise that there was substantial pro-Scottish sentiment among the men elected to assembly at Westminster on 23 April 1640.<sup>121</sup> Immediately in the opening session, the Parliament-men made clear they had no intention of voting Charles subsidies without the king first addressing their political and religious grievances.<sup>122</sup> Charles had been expectant, under Strafford’s encouragement, that Parliament in the circumstances of 1640 would be willing to grant the king all the money he needed to defend the realm out of patriotic obligation.<sup>123</sup> Instead, the body was rife with sympathy for the Scots and seemed to view the king as the greater threat. The Covenanters and Parliament-men had made contact with each other as soon as the elections began in early 1640 and communications continued through April, despite Charles efforts to prevent such collusion by arresting the Scottish commissioners in London on the eve of the Parliament’s opening. The imprisonment of the Scottish delegation, far from severing the ties between the two groups, instead further alienated the English affected to the Scots.

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<sup>120</sup> Printed Sheet of verses against the bishops, [undated] 1639, TNA SP16/538 f.239.

<sup>121</sup> Russell, *Fall of the British Monarchies*, pp.94-102.

<sup>122</sup> Mark Fissel, “Scottish War and English Money: the short Parliament of 1640,” Fissel, Ed. *War and Government in Britain*, pp.198-201. Russell, *Fall of the British Monarchies*, pp.102-108. Sharpe, *The Personal Rule*, pp.863-871.

<sup>123</sup> Russell, *Fall of the British Monarchies*, p.93.

The recognition that the Covenanters and Parliament-men were cooperating increased both Charles's anger and the urgency with which Laud and Strafford pressed the king to force the Commons to come to a decision quickly and follow through with a military solution to the Scottish crisis.<sup>124</sup> After spending a month at loggerheads, Charles presented the Parliament with a final offer on 14 May. Charles demanded that the Commons vote him twelve subsidies, even declaring that he would abandon the hated ship money writs if they complied. If they still refused to cooperate, the king threatened them with dissolution.<sup>125</sup> Such heavy-handed posturing from the king did nothing to satisfy the Commons' desire for assurances regarding the future of the kingdom, and even the offer to relinquish ship money was not sufficient to overcome their firm resolution to resist the general authoritarian trend of the personal rule.<sup>126</sup> Charles followed through, and the next day, 15 May, the Short Parliament was dissolved.<sup>127</sup>

Throughout the drama of April-May, the three Spanish diplomats had been watching all the developments in Westminster with great interest. It was quickly apparent to them that Charles would not be getting what he wanted, which played greatly to the advantage of the business with which they had been charged by Olivares. By 11 May, Velada wrote that they were expecting the Parliament to be dissolved any day, and that he, Malvezzi, and Cardenas had begun making preliminary contacts with Strafford,

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<sup>124</sup> Stevenson, *The Scottish Revolution*, pp.187-189.

<sup>125</sup> Fissel, "Scottish War and English Money," pp.209-211.

<sup>126</sup> Fissel, "Scottish War and English Money," pp.213-218. Russell, *Fall of the British Monarchies*, pp.119-120.

<sup>127</sup> Sharpe, *The Personal Rule*, pp.871-873.

Windebank, Cottington, and Hamilton. Velada mentioned that Strafford in particular had been extremely helpful, and had been quite forward in his hopes that the three Spaniards would be proposing the dynastic marriage of which Gerbier had reported the rumors.<sup>128</sup> Strafford was evidently much encouraged by these meetings, as he would assure Charles that it was both possible and relatively facile to obtain the necessary funds to prosecute the war against the Scots without Parliament. No sooner had the Parliament been dissolved on 15 May, but Charles met with the Privy Council the same morning. The session was dominated by Strafford and Laud who both urged Charles to take immediate action on his own and said that the Parliament's failure had left a military offensive the only plausible solution to the crisis.<sup>129</sup> In a speech that would become notorious forever after, Strafford declared his belief that the Scots' resistance could not last more than five months, and that one summer's campaign in an all-out offensive would be all it would take to scatter them. Money, Strafford claimed, should not be an obstacle, for between the year's ship money collections and 100,000 pounds sterling he believed could be extracted from the city of London, "these two wayes will furnish your majesty plentifully to goe on with armes and warr against Scotland." Strafford was certainly aware that the Caroline regime could scarcely afford to waste its rapidly dwindling resources, but he was adamant that a quick victory was within reach. Laud vigorously seconded these sentiments, saying, "venture all I had, I would carry it or loose all."<sup>130</sup> With such

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<sup>128</sup> Velada to Cardinal-Infante, 11 May 1640, AGR SEG 374 ff.178-183v.

<sup>129</sup> Fissel, *The Bishops' Wars*, pp.47-49. Russell, *Fall of the British Monarchies*, pp.125-127.

<sup>130</sup> Secretary Vane's notes of junto of Privy Council for Scotch affairs, 15 May 1640, TNA SP16/452 ff.106-106v.

counsel, and evidently sharing the enthusiasm of his lord lieutenant and archbishop, Charles committed to another military mobilization.

Having decided to press on with the war, and without Parliamentary subsidies, Charles needed money in May 1640 more than ever before. Aside from the considerable costs of the military preparations, the government in the localities was falling into shambles.<sup>131</sup> Strafford's plan to force loans out of London and other cities did not bear fruit, as most cities flouted the attempts by royal officers to demand the large sums required. The ship money collections for that year, which Strafford had heralded on 15 May as the second of the two ways by which Charles could fund his Scottish campaign, proved to be the lowest amounts ever collected.<sup>132</sup> Many localities had abandoned enforcement of the writs in early 1640, being certain that Parliament would see to their abolition. In the aftermath of the dissolution and the popular outcry it inspired, the numbers of those who simply refused to pay the demanded sums climbed steadily.<sup>133</sup> The shortfalls spelled ruin for Charles's efforts to raise another army in the summer of 1640. Recruitment was avoided by men throughout the shires, and the troop yields dropped from what had been managed in 1639. What soldiers could be gathered together were poorly equipped and supplied, and suffered from poor morale.<sup>134</sup> Even worse, there were notorious incidents of mutiny throughout England, in which the soldiers added

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<sup>131</sup> Russell, *Fall of the British Monarchies*, pp.123-124.

<sup>132</sup> Sharpe, *The Personal Rule*, pp.887-890.

<sup>133</sup> Russell, *Fall of the British Monarchies*, pp.130-136.

<sup>134</sup> David Cressy, *England on Edge*, (Oxford, 2006), pp.73-80.



political and religious dissent to their material grievances, attacking and murdering the king's officers, opening jails in which ship money refusers were imprisoned, and destroying "popish" church furnishings like stained glass and altar rails.<sup>135</sup> It was in these desperate circumstances that Charles gave his approval to Strafford to commence negotiations with the Spaniards on 18 May.<sup>136</sup> Wasting no time, Strafford held the first official meeting with the ambassadors that same day.

Although the Spanish ambassadors would not become aware of it until a few weeks later, Madrid was under similar pressure to conclude a deal with the English. With the entry of France into the Thirty Years War in 1635, the Franco-Spanish frontier had become another theater of war. Spain had already defeated one French invasion at Fuenterrabia in 1638, and was constantly wary for the next. To conduct the war, Madrid heaped greater and greater fiscal demands on the Kingdom of Aragon, particularly Catalonia. Olivares's insistence on having the Catalans provide not only funds but also quartering for the Castilian, Italian, and Walloon troops defending the principality against the French grated on the locals' sense of their rights and privileges as a nation, as did the rapacity with which the king's soldiers sometimes exacted their supplies. From mid-April through early May, nearly concurrently with Charles's efforts to extract concessions from the Parliament, sporadic expressions of resistance among the Catalan peasantry and towns erupted into a full-fledged revolt. By 22 May, anti-government forces had entered Barcelona and on 7 June, the "Corpus of Blood," protests against

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<sup>135</sup> Ibid. pp.87-93. Wedgwood, *The King's Peace*, pp.338-339.

<sup>136</sup> Sharpe, *The Personal Rule*, pp.897-899.

Madrid turned into a general rebellion that quickly spread throughout the whole of Catalonia.<sup>137</sup> These events made Spain's efforts to acquire English favor all the more important, especially in the Spaniards' ardent desire for Irish recruits to bolster the armies in Iberia against both the French and the Catalan rebels. Eager to promote a satisfactory agreement that could be concluded in short time, Olivares, acting with the consent of the Council of State, quickly drafted a personal letter to Strafford praising his friendship, extolling his wisdom and virtue, and prematurely thanking him for the successful conclusion of the treaty.<sup>138</sup> Truly at this moment, both Olivares and Strafford believed that the other held the solution to his own problems.

#### **IV. May – August 1640**

On 18 May 1640, just three days after the Parliament was dissolved, and the same day Charles authorized Strafford to begin talks, Velada, Malvezzi, and Cardenas had their first meeting with the English negotiators. Apart from Strafford, these were Francis Cottington, Secretary Windebank, and Algernon Percy, the Earl of Northumberland. Both sides were agreed in their desire to conclude an Anglo-Spanish alliance in exchange for providing Charles with ample monetary support against the Scots, but Velada reported that the English were insistent that any treaty should be based on the disused

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<sup>137</sup> Elliott, *Count-Duke*, pp.577-585. Elliott, *Revolt of the Catalans*, pp.182-214, 387-433. Stradling, *Philip IV and the Government of Spain*, (Cambridge, 2002), pp.182-184.

<sup>138</sup> Council of State, 21 June 1640, AGS E 2521 [unfoliated]. Olivares to Strafford, 25 June 1640, AGS E 2575 [unfoliated].

1634 agreement negotiated by Juan de Neocolalde. Velada was himself barely cognizant of this treaty's provisions, and expressed doubts that the copies the English had dusted off were truly the same text that Neocolalde had drafted.<sup>139</sup> Nevertheless, Velada felt the prospects for the negotiations were very good and in a report to Olivares, he assured that despite the English position, he and his fellow ambassadors would try to steer negotiations to follow the agreement the Count-Duke had signed with Cottington nearly a decade earlier. He also felt Strafford's influence was a reliable aid as he believed the earl's political livelihood had become tied to the success of the Spanish treaty.<sup>140</sup> Velada's estimation was accurate in both directions: Strafford's fall would also mean the collapse of the treaty.

The climate in London was tense, for the dissolution of the Short Parliament had unleashed a torrent of popular fury against the government. The initial reaction on 15 May had been one of gloom and despair among the people who had previously placed such high hopes in King and Parliament solving the nation's ills.<sup>141</sup> Over succeeding days, the nation collectively strove to find someone to blame for the failure of an agreement. Faction was the perceived threat, especially of the "popish" variety, and it did not take much for popular anger to begin smoldering against Henrietta Maria, Strafford, and Laud.<sup>142</sup> In tandem with the incidences of mutiny and murder of officers

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<sup>139</sup> Velada to Cardinal-Infante, 18 May 1640, AGR SEG 374 ff.214-217.

<sup>140</sup> Velada to Olivares, 26 May 1640, AGR SEG 374 ff.248-249v.

<sup>141</sup> Cressy, *England on Edge*, pp.37-38.

<sup>142</sup> Cressy, *England on Edge*, pp.112-115. Sharpe, *The Personal Rule*, pp.873-877.

in the countryside, Londoners, especially apprentices, began taking to the streets in violent tumults. At the center of much of the anger was Laud, who symbolized the king's religious policy, and Lambeth Palace itself was attacked in a notorious act of mob violence on 21 May.<sup>143</sup> Apart from Lambeth, the mobs also made aggressive moves toward the Queen Mother's house, Henrietta Maria's Somerset Chapel, and other perceived "houses of popery."<sup>144</sup> Immediately following the attacks on Lambeth, the Privy Council ordered Henry Garwaie to double the watches in the streets and surrounding regions to prevent the collection of large groups of people and block their movement within the city and environs.<sup>145</sup> As the situation escalated, the Council on 24 May ordered Garwaie to deploy the trained bands into the streets to combat the crowds if necessary. The following day, king and council published a proclamation for repressing any tumults and ordering the punishment of any rioters as well as issuing an order for Garwaie to send the city militia into Southwark, Lambeth, and Blackheath and the localities to suppress further outbreaks.<sup>146</sup> The worst of the violence had subsided by 31 May, but Charles's government was still wary enough to issue orders on 10 June to

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<sup>143</sup> Cressy, *England on Edge*, pp.116-124 Hibbard, *The Popish Plot*, pp. 150-151. Russell, *Fall of the British Monarchies*, pp.129-130. Sharpe, *The Personal Rule*, pp.906-909. Wedgwood, *The King's Peace*, p.331.

<sup>144</sup> Examination of Richard Beaumont, 26 May 1640, TNA SP16/453 f.212.

<sup>145</sup> Council Warrant to Henry Garwaie, Lord Mayor, 22 May 1640, TNA SP16/453 f.27.

<sup>146</sup> Order of Council and King, 24 May 1640, TNA SP16/453 f.94. Charles to Henry Garwaie, 25 May 1640, TNA SP16/453 f.95.

Captain William Davies, the city's provost-marshal to employ force in suppressing all tumultuous assemblies.<sup>147</sup>

The commencement of Strafford's negotiations with the Spaniards was far from secret, and as a result, all three ambassadors were forced to stay indoors for fear of the London crowds who had marked their residences among the "houses of popery." Velada reported on 19 May that the mobs had taken it as fact that "the resolution of the king had been because of offers of great sums of money we made to him on behalf of His Majesty," and that "they say this will be a means to introduce union with Spain and little by little Popery, which they call our sacred religion."<sup>148</sup> Cardenas later wrote on 25 May that even the ambassadors' house was unsafe while he and the other two felt threatened by a "popular invasion," which was only prevented by the city militia's presence in the street to keep the crowds at bay.<sup>149</sup> In consulting the letters of the Venetian ambassador in London, Giovanni Giustinian, it is clear that it was possible Charles's critics knew quite a bit about the Spanish negotiations. On 11 May, when Strafford had his encouraging exchanges with Velada, Giustinian reported that Malvezzi had also taken a long, private audience with Charles, which court gossip assumed to be about a naval treaty on the lines of the 1634 negotiation. By 18 May, the day of the first meeting between the English and Spanish negotiators, Giustinian had already heard a report that Spain was offering 400,000 ducats to Charles in exchange for the English fleet defending

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<sup>147</sup> Council Warrant to Capt. William Davies, Provost Marshal, 10 June 1640, TNA SP16/455 f.243.

<sup>148</sup> Velada to Cardinal-Infante, 19 May 1640, AGR SEG 374 ff.231-233.

<sup>149</sup> Cardenas to Salamanca, 25 May 1640, AGR SEG 374 ff.244v-245.

the Channel against the Dutch and French.<sup>150</sup> It is apparent from Velada's report of 19 May that the London crowds were equally aware of their early talks with Strafford. Giustinian confirmed this on 25 May, saying of the Spanish ambassadors that "the Puritans complain that their offers of money to the king have hastened the dissolution," and later in the same letter he says it was widely known that Philip "will so increase his contributions as to provide [Charles] with the means of subduing his disobedient subjects."<sup>151</sup> Thus the ambassadors and their proposals became the stuff of the infamous "popish plot" rumors then circulating wildly in London at the instigation of figures like John Pym and William Prynne.<sup>152</sup> Being the objects of such scrutiny and public outrage, it was clear that the negotiations' fate would be tied to that of Charles's authority and any further crumbling of the Caroline state would completely unravel all progress.

Despite the popular fury in the streets, Strafford took great initiative in trying to advance the negotiations. Just three days after the first talks, on 21 May, Strafford visited Velada and Malvezzi at their house. Producing a copy of the 1634 Necolalde agreement that Windebank had sent to the ambassadors' house, Strafford went over the various points in an effort to convince them that this agreement would be sufficient for Spanish needs. In return, he proposed that Spain offer Charles a loan of 1,200,000 escudos, approximately 300,000 pounds, of which half should be paid immediately.<sup>153</sup> The

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<sup>150</sup> Letters of Giustinian to Doge and Senate, 11 and 18 May 1640, CSPV, 1640-1642, pp.40-49.

<sup>151</sup> Ibid. Giustinian to Doge and Senate, 25 May 1640.

<sup>152</sup> Hibbard, *Popish Plot*, p.151. Sharpe, *Personal Rule*, pp.842-843.

<sup>153</sup> Velada to Philip, 21 May 1640, AGR SEG 374 ff.276-276v.

ambassadors, however, were adamant that they were sent with orders to discuss terms solely on the basis of the Olivares-Cottington agreement, and had no authority for treating on the Necolalde articles. Velada confided to Philip that it was clear the English had no intention of breaking with the Dutch, but were willing to offer other things, especially Irish recruits. Strafford further suggested that Charles could put thirty ships to sea at a moment's notice, which would be at Spain's disposal for policing the Channel or relieving Flanders in the event of an attack.<sup>154</sup> While inquiring of Madrid what direction he could take, Velada urged haste, emphasizing that the English were so desperate for money that they were willing to concede a great deal, but the window would not stay open forever.<sup>155</sup>

Taking note of Velada's reports, the Cardinal-Infante was doubtful that Madrid would compromise with the English offers, calling Strafford's proposal "much deviated" from the stated objectives for the treaty.<sup>156</sup> This seemed all the more likely in light of a letter received by Velada from Olivares dated 22 May in which the Count-Duke flatly said that money was no object, England had only to consent to Spain's terms.<sup>157</sup> In the meantime, all that could be done was stall and wait for Madrid's decisions. The waiting was excruciating for the three diplomats for "not only the natural inconstancy of this people but also the variation in the state of affairs from the matters of this kingdom"

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<sup>154</sup> Ibid. ff.277-278.

<sup>155</sup> Ibid. f.278v.

<sup>156</sup> Cardinal-Infante to Velada, 10 June 1640, AGR SEG 378 f.29.

<sup>157</sup> Velada to Salamanca, 15 June 1640, AGR SEG 378 f.31.

threatened to end the negotiations at any time. The ambassadors worried that while the treaty was withering, the feared Franco-Dutch attack on Dunkirk might materialize, which the Spaniards would have to face without any English guarantees of assistance.<sup>158</sup> Apart from the delay caused by waiting for Madrid's orders, Strafford had fallen ill in late May, forcing him to absent himself from the talks with the Spanish. So central was Strafford in leading the English team that this had the effect of suspending the negotiations in total. Charles and Henrietta Maria had both withdrawn from the capital for the summer, so the three diplomats were left with little to do but wait. Even their recruitment projects were suspended, as Charles would not authorize recruiting apart from successful conclusion of the treaty.<sup>159</sup>

Contrary to the Cardinal-Infante's fears, Madrid surprisingly showed itself amenable to agreeing to the more reserved treaty offered by Strafford. Responding to Velada's reports from mid-May, Philip wrote to his three ambassadors in late June and authorized them to negotiate on the basis of the Necolalde treaty. Philip saw no purpose in trying to force the English into honoring the Cottington agreement because he could plainly see that Charles was in no position to enact it immediately, and "because such contingent promises of a future rupture [between England and Holland] with many possibilities for failure will be of little or no substance."<sup>160</sup> Aside from a sense that limited albeit feasible help was preferable to nothing, Philip was also motivated by fears

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<sup>158</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 19 June 1640, AGR SEG 377 ff.9-9v.

<sup>159</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 15 June 1640, AGR SEG 377 ff.14-14v. Velada to Salamanca, 15 June 1640, AGR SEG 378 f.33.

<sup>160</sup> Philip to Malvezzi, 25 June 1640, AGR SEG 377 f.86.



of what could result if Charles's domestic affairs became too much for him to handle: "I consider it important to the highest degree that we not lose that king by having his realm reduced to a republic by which I would without a doubt lose the states of Flanders."<sup>161</sup> Philip's words were a conscious repetition of those spoken by Olivares in the Council of State earlier that month in which the Count-Duke had described the peril represented by a potential English republic, which, together with the Dutch, would form "a union of neighbor republics from which can be feared an irresistible invasion of all Europe."<sup>162</sup> Spurred on by this domino theory logic, Philip resorted to make the best of the offers Strafford had suggested. The 1,200,000 escudos, he said, was in the same range as what Spain would have to spend for naval defenses on its own, and opined that the united forces of Charles's fleet and the existing Armada of Flanders would be able to keep the lines of communication open in spite of the efforts of the French and Dutch. In the spirit of the Necolalde articles, Philip said he would be willing to pay Charles a monthly sum of up to 100,000 escudos—25,000 pounds—to keep the fleet at sea, and expected that any treaty would obligate Charles to defend the entire Flemish coastline. Additionally, he wanted rights to recruit 6000 Irish per year. A sign of his eagerness, Philip even authorized them to dangle the prospect of the Anglo-Spanish dynastic marriage (though commit to nothing) if they felt it would serve their purposes.<sup>163</sup>

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<sup>161</sup> Ibid. f.86v.

<sup>162</sup> *Voto* of Olivares in the Council of State, 16 June 1640, AGS E 2521 [unfoliated]. Loomie, "Alonso de Cardenas and the Long Parliament", *English Historical Review* 97, (1982), p.292.

<sup>163</sup> Philip to Malvezzi, 25 June 1640, AGR SEG 377 ff.87-89.

The exchange of letters between Spain, Flanders, and England remained slow business, often taking a whole month or more. As a result, Velada, Malvezzi, and Cardenas remained unaware of Olivares and Philip's willingness to compromise and thus continued to labor under the impression that they had to insist on the stipulations of the Cottington agreement. By early June, Strafford had recovered sufficiently to continue his participation in the talks, albeit usually through letters delivered by Tobie Matthews.<sup>164</sup> While waiting for word from Madrid, the Spaniards had relaxed their fixation on the Cottington agreement enough to discuss other provisions and conditions but remained adamant that they could not accept any agreement which did not include an offensive-defensive league between England and Spain with the stipulation that Charles break with the Dutch.<sup>165</sup> The English proved just as resolute, Strafford only offering the Necolalde treaty with the desired immediate grant of 1,200,000 escudos and vague promises that a further league could be discussed once Scotland was brought to submission.<sup>166</sup> By early July, the English became clearly impatient as their concerns with the Scottish border increased. In the face of the Spaniards' intransigence, Cottington once even suddenly broke into Spanish during a meeting to tell the ambassadors directly that asking for the offensive-defensive league was simply impossible, that if Spain would just sign over the 1,200,000 escudos, Charles would even commit to repaying it after peace was restored if he did not attack the Dutch, but above all that they simply did not have time to waste on

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<sup>164</sup> Cardenas, Malvezzi, and Velada to Philip, 9 July 1640, AGR SEG 377 f.71v.

<sup>165</sup> Proceedings of the ambassadors of Spain with the ministers of England, [undated] July 1640, AGR SEG 377 ff.124-125v.

<sup>166</sup> Ibid. ff.126-131v.

these discussions. Velada expressed his sympathies, but confessed that without orders he could do nothing.<sup>167</sup>

By the end of July, the deadlock began to shift. In part this was due to the arrival of Philip's instructions that allowed the ambassadors to negotiate on terms more agreeable to the English, but another major factor was the increasing desperation of Charles's government in the face of the Scottish crisis. The Pacification of Berwick had collapsed and the Scots had spent the first half of 1640 undertaking preparations for bringing the war to Charles's doorstep, where, across the Tweed they were opposed only by the ponderously slow and confused efforts of Charles's 'perfect militia' to prepare a suitable defense.<sup>168</sup> Rumors and fears of the imminent Scottish invasion spread throughout England. From London the three ambassadors (as they truly were by this time for Cardenas had received his promotion to full ambassador during that month) warned Brussels and Madrid that the Scots were poised at the border and were expected to invade any day.<sup>169</sup> Spain was not without its own difficulties as the Catalan revolt continued to prosper throughout the remaining months of 1640, and Hopton dutifully reported on its progress to London in vain hopes that his government could extract some advantage.<sup>170</sup> It was not until the defeat of the Spanish royal army at Montjuic in January 1641, however, that the gravity of the Catalan situation was truly appreciated; Olivares

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<sup>167</sup> Cardenas, Malvezzi, and Velada to Philip, 9 July 1640, AGR SEG 377 ff.72v-73v.

<sup>168</sup> Fissel, *The Bishops' Wars*, (Cambridge, 1994), pp.190-214. Russell, *Fall of the British Monarchies*, pp.142-144.

<sup>169</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 20 July 1640, AGR SEG 377 f.28.

<sup>170</sup> Hopton to Windebank, 22 September 1640, TNA SP94/42 ff.40-41v.

throughout 1640 seemed assured that there was no danger of the revolt becoming “another Scotland.”<sup>171</sup> Rather, Madrid’s main concerns were still gaining access to Ireland for recruitment and getting guarantees from Charles to succor Flanders in the event of Franco-Dutch attack.<sup>172</sup> In these circumstances, during the final days of July the three ambassadors made tremendous progress with their negotiations. They delivered Olivares’s letter to Strafford, which Velada said the earl had graciously accepted though with the pointedly qualified promise that he would exert all efforts for Spain’s desired Irish recruitment in the event Charles received the 1,200,000 escudos. When meeting with Charles to congratulate him on the birth of his son Henry, the King of England himself expressed his hopes that neither Velada nor Malvezzi would depart without concluding a treaty. The English ministers were also extremely pleased at Philip’s professions of friendship to his fellow king and firm resolution to help bolster Charles atop his throne.<sup>173</sup>

Working closely with Strafford and Windebank, Velada, Malvezzi, and Cardenas hammered out a treaty that would grant the Spaniards most of what they wanted. A testament to both the doggedness of the three ambassadors and the increase of Charles’s willingness to grant concessions in tandem with his desperation, the agreement even obliged England to enter into the offensive-defensive league with Spain and declare war on Holland. This last provision was carefully guarded behind the painfully subjective

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<sup>171</sup> Elliott, *Count-Duke*, pp.596, 603-605.

<sup>172</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 28 July 1640, AGR SEG 377 f.32.

<sup>173</sup> Cardenas, Malvezzi, and Velada to Philip, 2 August 1640, AGR SEG 377 ff.47-50.

qualification that it was only to take effect once “Scotland is reduced to obedience.” Still, to finally engage Charles to a military alliance with Spain after a decade of failed efforts was no small achievement.<sup>174</sup> Additionally, Charles was charged with convoying the shipment of men and money from Spain to Flanders and, in the event Flanders was attacked, was sworn to come to its aid with all haste.<sup>175</sup> In return for all this, Spain would pay out the 1,200,000 escudos to Charles, giving him 600,000 immediately upon the treaty’s signing, and the second half on the following Michaelmas. In the event Charles could not commit to the alliance or the convoy duties, he was liable to repay the sum in full. In addition to the 1,200,000, Philip also was to put forth a monthly 100,000 escudos—25,000 pounds—to assist with maintenance costs for the Channel fleet.<sup>176</sup>

On 2 August, when sending in his report on the matter, Velada was far from convinced that Charles would be able to uphold any of the grandiose designs outlined in the treaty, but nevertheless admitted that it accomplished Philip’s stated objective “to help this king and not allow him to be lost.”<sup>177</sup> By now living on borrowed time, since the Scottish invasion was imminent, Windebank hurriedly wrote a letter to Hopton apprising the English ambassador of all that had been agreed upon and ordering him to immediately submit the articles to Philip for his approval.<sup>178</sup> Subject as always to the

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<sup>174</sup> Articles negotiated between the ministers of the kings of England and Spain in the year 1640, [undated] August 1640, AGR SEG 377 ff.96, 99.

<sup>175</sup> Ibid. f.96v.

<sup>176</sup> Ibid. ff.97-98.

<sup>177</sup> Cardenas, Malvezzi, and Velada to Philip, 2 August 1640, AGR SEG 377 ff.55v-56.

<sup>178</sup> Copy of letter from Windebank to Hopton, [undated] July 1640, AGR SEG 371 ff.278-279.

slowness of communications between the North Sea and Spain, when Hopton received this letter and delivered the required memorial to Philip, it was already 25 August.<sup>179</sup> The response in Madrid was predictably positive though the Spaniards did not wish to or could not commit to the opening lump sum of 600,000 escudos. In deliberations of the Council of State from 4 September, the members proposed alternative payment plans to that proposed by Strafford. Conscious of the matter's time sensitivity, they voted to send bills in various denominations to the three ambassadors to quickly establish whichever plan the English found agreeable.<sup>180</sup> While the attitude in Madrid at this point was one of contented satisfaction, the feeling was soon proved ill-founded, for the month of August had brought critical alterations to affairs in England that would render most of the proposed articles untenable.

## **V. The Closing of the Door: August 1640 -- February 1641**

Velada at the beginning of August sent off the details of the proposed treaty to Madrid with significant reservations about the credibility of Charles and his government. Speaking more frankly in a letter to Miguel de Salamanca, the Secretary of State and War in Brussels, Velada believed that Charles had already lost his authority and that by this point England was entirely in the hands of a group of confused and conflicting ministers:

The king is destitute and less attentive to matters than he should be, always following his queen and coming to much discredit both inside and outside his

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<sup>179</sup> Memorial of Hopton, 25 August 1640, TNA SP94/42 f.24.

<sup>180</sup> Council of State, 4 September 1640, AGS E 2521 [unfoliated].

kingdom. He makes great vanity of not having a *valido* [prime minister] and by excusing himself of one has come to have many and loses all usefulness he could have taken from choosing the best because his own nature is irresolute.<sup>181</sup>

Such a court was not worthy of much confidence and Velada suspected that if the Scots did cross the border, they would encounter very little resistance. Cardenas's regular reports of the progress of the rebellion did little to dissuade this view. When describing the English efforts to muster a force to counter any Scottish advance, he noted the widespread incidents of mutinies among the English militia, with many officers and men refusing to fight against the Covenanters, whose cause they viewed with sympathy.<sup>182</sup> Knowing that the treaty would only succeed if the funds Charles needed could be delivered in time to save him both from the Scottish rebels and the necessity of calling another Parliament, Velada wrote worriedly to Brussels in mid-August, asking how quickly and how much money could be sent to London. Strafford, he said "gave us motive to believe that with prompt money they could have done much," and added that each passing day reduced the potential effectiveness of both the money and the prospective alliance with England.<sup>183</sup>

Strafford had good reason for impatience, for the news from Scotland continued to worsen. Both sides had known since the end of 1639 that the Pacification of Berwick would not last, and the Scots expected the opening of the Scottish Parliament that Charles had promised for 12 June 1640 to see a shift in their favor. Charles shared their

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<sup>181</sup> Velada to Salamanca, 2 August 1640, AGR SEG 378 f.100.

<sup>182</sup> Cardenas to Salamanca, 10 August 1640, AGR SEG 371 f.287v.

<sup>183</sup> Velada to Salamanca, 17 August 1640, AGR SEG 378 f.104.

estimations and so had tried to postpone the opening until 17 July, by which time he had hoped to have a strong military force in readiness on the border. Recognizing the king's intents, the Scots ignored Charles's commands and opened the Parliament anyway on 12 June. The body immediately set about dismantling all the hated royal impositions on the Church and abolished episcopacy and liturgical worship while ratifying all the acts of the 1638 Glasgow Assembly. Most frighteningly for Whitehall, on 21 July, the Parliament established provisions for funding a military effort against the king. Immediately, the Scots began massing new forces on the border.<sup>184</sup>

It is not surprising that while the Scottish army grew from late-July onwards, Charles ministers suddenly became willing to grant Velada, Malvezzi, and Cardenas the offensive-defensive league against the Dutch that they had previously regarded as unthinkable. Charles and his ministers were well aware that the Scots' military preparations were not merely defensive, and sorely needed the money to defend against any border crossing. The Scots for their part had been fearful that invading England would only rally English patriotism around the king and thus prove the undoing of their cause. Their propaganda efforts throughout 1639 and the months preceding and during the Short Parliament, however, had paid off. The Parliament itself had shown itself remarkably favorable to the Scottish grievances, and it was the discernible pro-Scot atmosphere as well as the refusal to grant supply that had motivated Charles to dissolve the body.<sup>185</sup> As they debated among themselves, the Scots were fearful of waiting too

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<sup>184</sup> Donald, *Uncounselled King*, pp.237-239. Stevenson, *The Scottish Revolution*, pp.192-199.

<sup>185</sup> Donald, *Uncounselled King*, pp.228-236.



long to act for they had already learned of the Spanish negotiations, which helped to unify the Covenanters around the idea of offensive war against the King. The seeds of distrust had already been laid in 1639 by Hamilton, who had hoped to intimidate the Scots to come to terms by leaking the details of the afterward-aborted Gage plot to land veterans of the Army of Flanders in Scotland.<sup>186</sup> This clumsy effort was rewarded only by a strengthening of the Covenanters' resolve. When the same rumors of Charles accepting Spanish money that had infuriated the London crowds in May reached Scotland, the Covenanters did not find them difficult to believe.<sup>187</sup> The final encouragement came from Englishmen affected to the Scots. Several lords, including Thomas Savile, corresponded with the Covenanter leadership and promised the assistance of English Protestants and parliamentarians, should the Scots invade. Savile himself forged a letter promising the support of several influential peers, which arrived in Scotland in early August. So emboldened, the Scots finally voted to invade England on 13 August.<sup>188</sup> Additional contacts with the city aldermen of London and other important Englishmen gave further security, and far from igniting English patriotism, the Scots' invasion rather increased the readiness of Englishmen to offer their assistance in obtaining redress of grievances for both kingdoms.<sup>189</sup>

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<sup>186</sup> Hibbard, *Popish Plot*, pp.105-107. Russell, *Fall of the British Monarchies*, p.80.

<sup>187</sup> Donald, *Uncounselled King*, p.221. Fissell, *The Bishops' Wars*, pp.51-52.

<sup>188</sup> Stevenson, *The Scottish Revolution*, pp.205-206.

<sup>189</sup> Donald, *Uncounselled King*, pp.244-252.

The long-anticipated Scottish invasion came on 30 August, while rumors had already declared England invaded several times in the preceding weeks.<sup>190</sup> Despite the ample advance warning of Scottish intentions, the royal force in the north of England had assembled with appalling slowness and was continually beset with shortages of both supplies and even basic equipment. When the Scots crossed the border, nearly a quarter of the English troops deployed to oppose them lacked any armaments.<sup>191</sup> As August dragged on and the wait for a response from Madrid went on, the imminence of the Scottish threat moved Strafford to desperation. On 18 August, he sent Tobie Matthews to call on the Spanish ambassadors with a new proposal. Pleading the tenuousness of the English position, Matthews implored the ambassadors to write to Madrid to hurry matters and also asked that the Cardinal-Infante immediately grant an advance of 200,000 escudos—50,000 pounds—to Charles without delay. If the money was not readily available, Strafford asked that Brussels borrow it from the merchants of Antwerp and even offered the customs duties of Ireland as collateral.<sup>192</sup> In their common letter the three ambassadors stated that this was likely the best hope for the alliance in the circumstances, and told the Cardinal-Infante that if he wished to comply with the request the money would have to be disbursed immediately or risk being rendered irrelevant by the rapid progress of events.<sup>193</sup> When confirmation of the Scottish invasion reached

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<sup>190</sup> Fissel, *The Bishops' Wars*, pp.52-61. Russell, *Fall of the British Monarchies*, p.142. Three Ambassadors to Cardinal-Infante, 17 August 1640, AGR SEG 377 f.36v.

<sup>191</sup> Russell, *Fall of the British Monarchies*, p.143.

<sup>192</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 18 August 1640, AGR SEG 377 f.149.

<sup>193</sup> *Ibid.* f.149v.

London, Strafford came in person on 1 September to see the ambassadors, who offered him assurances that Philip had resolved to see Charles preserved on his throne but admitted to thus far having received no response from Brussels regarding the 200,000 escudos. Strafford was plainly eager to conclude the business, but the Spaniards could only stress the need to receive permission from distant Madrid.<sup>194</sup> Velada also took the opportunity to complain that the negotiations had been further hampered by Charles's unwillingness to ever meet with them directly and Strafford's own common use of intermediaries like Tobie Matthews, which Velada privately ascribed to Charles's fears of his Puritan subjects and consequent reluctance to give credence to tales of popish plots.<sup>195</sup> The three ambassadors evidently shared Strafford's frustration with the unbearable slowness of communications with Madrid, and Velada recommended that the Cardinal-Infante disburse the funds on his own authority, stating that to do so would be entirely consistent with Philip's stated objective of preserving Charles's rule in England.<sup>196</sup>

Responding to the three ambassadors' letter discussing the 18 August visit of Tobie Matthews, one of the Cardinal-Infante's secretaries wrote to Velada from the army camp at Oignies. Busied with military matters, the Cardinal-Infante had not deciphered and reviewed the letter until 2 September, but said that he would remit the matter to Secretary of State and War Salamanca, who was then already in Antwerp raising money

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<sup>194</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 1 September 1640, AGR SEG 377 ff.157-160.

<sup>195</sup> Ibid. f.160v.

<sup>196</sup> Ibid. f.159.

for other projects.<sup>197</sup> Such news would not have done much to bolster the spirits of the ambassadors in London, who were already becoming increasingly convinced that the whole kingdom of England was falling apart around them. Especially horrifying to the Spanish ambassadors was that the news of the Scottish invasion was greeted by the London crowds with jubilation, “showing desires for the prosperity of the Scots and imagining that they come only to force the king to summon Parliament.” At this point, the ambassadors already began speaking of a “royal party” among the English people and ministers, among whom Strafford was the paramount representative.<sup>198</sup> Over the next two weeks, the ambassadors wrote increasingly frantic letters urging the Cardinal-Infante to disburse the 200,000 escudos to Charles, citing the rapid advance of the Scots through northern England, their victory over the king’s ill-prepared forces at Newburn, and their occupation of Newcastle. They warned that Charles could not stand against them on his own because “they have always made their progress with the intelligence and support of the Puritans of England who increase every day.”<sup>199</sup> Having no doubt that the Scottish Covenanters were in contact and collusion with the English Puritans, they warned that Charles was under increasing pressure to call Parliament again, which seemed to forebode the much-feared union of Calvinist republics predicted by Olivares and could only be disastrous for Spanish interests.<sup>200</sup>

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<sup>197</sup> Secretary to Velada, 2 September 1640, AGR SEG 378 f.112.

<sup>198</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 7 September 1640, AGR SEG 377 ff.163v-164.

<sup>199</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 14 September 1640, AGR SEG 377 ff.180-181v.

<sup>200</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 21 September 1640, AGR SEG 377 ff.186-186v.

Finally responding on 22 September, Salamanca wrote to the ambassadors with bad news. Though the Cardinal-Infante had authorized the payment and had instructed him to obtain the 200,000 escudos from the Antwerp merchants, he said it would be impossible to procure the desired funds before the end of December.<sup>201</sup> In this, the Spaniards' own ample troubles were readily apparent. Still mired in war with the Dutch and French, Brussels was hard-pressed to defend its own borders, much less offer aid to the King of England. Such funds could only come from Spain, which was itself embattled at home against the French as well as against the still spreading revolt in Catalonia, and thus hungrily consumed much of the available funds.<sup>202</sup> Flanders would have to wait until November for hope of new money arriving from Spain after the successful arrival of the silver fleet that year and thus in August was desperate to conserve its dwindling and meager resources for its own defense.<sup>203</sup> Gerbier's reports from Brussels, though less apocalyptic in tone than those of the three ambassadors from London, were otherwise similar in their appraisal of the Cardinal-Infante's government, remarking "the Spaniards are not hable to splitt a straw in favour of his Majestie as there affaires stand in broiles."<sup>204</sup> As the demands of the English people, of which the Spanish diplomats identified the "greater part" as being Puritans, for Charles to summon Parliament and their refusal to offer the king assistance by any other means increased,

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<sup>201</sup> Salamanca to Velada, 22 September 1640, AGR SEG 377 f.189.

<sup>202</sup> Elliott, *Revolt of the Catalans*, pp.418-488. Parrott, *Richelieu's Army*, (New York, 2001), pp.135-136, 152-157.

<sup>203</sup> George Shawe to Thomas Roe, 27 November 1640, TNA SP16/471 f.152.

<sup>204</sup> Gerbier to Windebank, 22 September 1640, TNA SP77/30 f.265v.

Strafford and Windebank came to the ambassadors' house to beg again. While they were gladdened to hear that the Cardinal-Infante had elected to send the money as soon as possible, that it would take until nearly the end of the year to procure came as a bitter disappointment.<sup>205</sup>

The month of September marked the complete unraveling of the negotiations. When the Scots crossed the border on 30 August with 30,000 infantry and 3,000 cavalry, they were opposed only by a poorly equipped and miserable English force of 14,000 infantry and 2,500 cavalry. When these two forces met at Newburn on 7 September, the result was a complete rout of the English and total collapse of Charles's war effort.<sup>206</sup> With his government and military in shambles, Charles was completely out of options. Meeting with the Lords at York on 4 October, he was presented with the Twelve Peers petition, by which the eponymous lords and other subscribers formally requested the summoning of a Parliament.<sup>207</sup> While Charles's government had been predictably disinclined to grant the request, the petition continued to circulate in copies throughout England, gaining support from other classes. On 6 October, only two days after the Peers presented it in York, Velada reported that the same petition was now being circulated among the commoners of London, who were hastily subscribing to it in large numbers at

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<sup>205</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 28 September 1640, AGR SEG 377 ff.192-193.

<sup>206</sup> Fissell, *The Bishops' Wars*, pp.54-58. Sharpe, *The Personal Rule*, pp.891-895. Stevenson, *The Scottish Revolution*, pp.208-210.

<sup>207</sup> Russell, *Fall of the British Monarchies*, pp.146-155. Russell, "Why did Charles I summon the Long Parliament?," *History*, 69, (1984), pp.375-383. Stevenson, *The Scottish Revolution*, pp.211-213.

public readings accompanied by sermons and riotous behavior.<sup>208</sup> Forced to bend under this political pressure, and confronted with the reality of the immovable Scottish force in the north of England, Charles informed his subjects at York that he had already issued writs to order the summoning of Parliament the same day he received the petition.<sup>209</sup> The news was greeted with despair by the ambassadors, who had come to see any Parliament as entirely detrimental to all their purposes, and for the same reason was praised by the French agent Montreuil as heralding the death of the Spanish party in Charles's court.<sup>210</sup> The three Spaniards had spent the month of October doing little besides twiddle their thumbs, for Charles and Strafford were both in York where they had attempted unsuccessfully to resolve the Scottish crisis.<sup>211</sup> It must have come as something of a cruel joke when on 11 October Velada received a letter from Philip regarding the anachronistic deliberations of the Council of State from 4 September, which had approved of the now-obsolete treaty proposed in the summer and asked Velada to negotiate a payment plan with the English.<sup>212</sup> Only in mid-November, by which time the Long Parliament was well underway, would Olivares and the Council of State discuss Strafford's request for the emergency grant of 200,000 escudos. While they hastily approved of the payment from Spain, they also demonstrated astute recognition that events in England had likely outpaced their reaction. Ordering the drafting of bills of exchange for the sum requested,

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<sup>208</sup> Velada to Cardinal-Infante, 6 October 1640, AGR SEG 377 f.201.

<sup>209</sup> Sharpe, *Personal Rule*, pp.914-919.

<sup>210</sup> Hibbard, *Popish Plot*, pp.166-167.

<sup>211</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 26 October 1640, AGR SEG 377 f.209.

<sup>212</sup> Copy of Philip to Velada, received 11 October 1640, AGR SEG 377 f.229.

the council opted to send the papers to Brussels rather than to the ambassadors in London for fear that by the time they arrived Charles would have already been subjugated by his Parliament.<sup>213</sup> Earlier that month, as preparations for the Parliament's opening progressed, Cardenas considered the cause all but lost, noting that the elected deputies who were arriving in London were overwhelmingly "Puritans and other enemies of this king."<sup>214</sup>

The news that Charles had summoned the new Parliament at the start of October had produced widespread jubilation throughout England, as people looked to a successful union of king and Parliament as the panacea to all the nation's ills.<sup>215</sup> Unsurprisingly, the news brought a new spike in anti-Catholic literature in London accompanied by burnings of effigies of the Pope and raids on Catholic homes. Rumors and tales of Catholic conspiracies also abounded, usually involving the alleged collusion of English Catholics with foreign invasion forces originating from France, Italy, and, of course, Spain.<sup>216</sup> Anti-Habsburg diplomats were all too happy to encourage many of these beliefs and the French agent Montreuil happily funneled news of the Spanish negotiations to Parliament-men like John Pym, who he told "how Spain tried to deceive its neighbors, especially France and England."<sup>217</sup> While many of the tales that had preceded the opening of Parliament were of a general anti-Catholic paranoia, such as the report of one Miss Anne

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<sup>213</sup> Council of State, 17 November 1640, AGS E 2521 [unfoliated].

<sup>214</sup> Cardenas to Salamanca, 2 November 1640, AGR SEG 371 f.311v.

<sup>215</sup> Cressy, *England on Edge*, pp.40-42.

<sup>216</sup> Hibbard, *Popish Plot*, p.156.

<sup>217</sup> *Ibid.* pp.166-167.



Hussey that the French, Spanish, and Venetian ambassadors were all conniving with English Catholics to raise an army of 8,000 men at the Queen's command, others zeroed in on Spain as the singular threat.<sup>218</sup> One such, presented as a letter from Satan to the Pope, portrayed the Battle of the Downs as a failed Spanish effort to conquer England for Catholicism. While the Devil could only console the Pope about the attempt's failure through the intervention of the Dutch, he took satisfaction in "the impregnable diligence used by some of our most eminent servants in that kingdom preventing the discovery of that intended invasion and plot." The author made plain the remedy to the stranglehold those conspirators had on the royal government, for the Devil dreaded above all that the Protestants should "gain a Parliament, which we most fear and decline."<sup>219</sup> The identity of the "eminent servants" was no mystery for aficionados of pieces like these. Within them, Strafford would be routinely made responsible, allegedly under Jesuit influence, for the Spanish fleet's appearance in 1639.<sup>220</sup> The opening of the Parliament only increased the sense of triumph in these popular publications. One set of verses celebrating the opening concluded, "Let Spain and the strumpet of Babylon plot/ yet we shall be safe."<sup>221</sup> Another, entitled "Scotlands Encovragement," praised the Covenanters who "in spight of Rome and maugte Spaine" had destroyed the royal supremacy and Laudian liturgy in

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<sup>218</sup> Information of Philip Bainbridge, 28 August 1640, TNA SP16/464 ff.61-61v.

<sup>219</sup> Political squib, 15 September 1640, TNA SP16/466 ff.191-193v.

<sup>220</sup> Hibbard, *Popish Plot*, p.173.

<sup>221</sup> Political lampoon in verse, [November] 1640, TNA SP16/472 f.115.

Scotland, while predicting that now the “eagle syhted English Parliament” would secure the ultimate victory “when Lad and Wentworth love our land.”<sup>222</sup>

Charles opened the Long Parliament on 13 November 1640. Any hopes he may have had that the Parliament in patriotic fervor would unreservedly vote him subsidies to defend the realm against the Scots were quickly dashed. Ignoring Charles’s stated goals for the sessions in his opening speech from the throne, both houses expressed their firm commitment to obligate the king to make reparation for all their political and religious grievances.<sup>223</sup> The target of much of the Parliament-men’s ire was the Earl of Strafford, who along with Archbishop Laud was seen as the epitome of all the tendencies to political autocracy and religious tyranny that Charles’s critics observed in the personal rule.<sup>224</sup> Not least among the many complaints gathered against Strafford were the negotiations he had conducted with the Spanish ambassadors, which were known in London despite his and Charles’s efforts to downplay the association.<sup>225</sup> No sooner had Strafford returned from York then he was imprisoned by order of the Parliament. His leading role in the negotiations with Spain has already been noted, as has the tremendous and singular faith which the Spaniards placed in him as a friend of Spain in the English court. Neither of these traits were secrets, and upon his arrest, the Venetian Giustinian described Strafford as “a leading minister and the most favored by His Majesty, who

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<sup>222</sup> Scotlands Encovragement, [London], 1640. STC 22013.5.

<sup>223</sup> Russell, *Fall of the British Monarchies*, pp.164-165, 206-220.

<sup>224</sup> Hibbard, *Popish Plot*, pp.173-175. Russell, *Fall of the British Monarchies*, p.221. Sharpe, *Personal Rule*, pp.932-933.

<sup>225</sup> Hibbard, *Popish Plot*, p.164.

without reserve always showed a great partiality towards the interests of the Spaniards.”<sup>226</sup> Giustinian’s observation is telling, for it both reveals the character of Strafford’s public image and emphasizes the trait that made him most odious to his accusers. Unsurprisingly, his arrest and imprisonment was seen as a tremendous blow to the Spanish cause. Cardenas described the development with horror and seemed to see all of Madrid’s worst fears being realized.<sup>227</sup> The bad news regarding Strafford was soon followed by attacks on another of the Spaniards’ key allies during the negotiations, Secretary Windebank, who Giustinian similarly described as having “always openly taken the part of the Spaniards.”<sup>228</sup> The pillorying of Strafford and Windebank, the two of Charles’s ministers most notably associated with the negotiations, had left all other English government officials afraid to approach the ambassadors. The isolation which they had felt during Charles and Strafford’s absence throughout October became permanent, as the other ministers “so terrified of the rigor with which the Parliament proceeds excuse themselves from seeing us, leaving us without anyone with whom to treat.”<sup>229</sup>

In Brussels, the events in Westminster were the talk of the town. Gerbier expressed his own hopes for Charles and Parliament to come to some agreement regarding the Scots, a proposition that many in Brussels felt was certain, though

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<sup>226</sup> Giustinian to Doge and Senate, 23 November 1640, CSPV, 1640-1642, pp.90-98.

<sup>227</sup> Cardenas to Salamanca, 23 November 1640, AGR SEG 371 f.321.

<sup>228</sup> Giustinian to Doge and Senate, 30 November 1640, CSPV, 1640-1642, pp.90-98. Hibbard, *Popish Plot*, pp.174-175. Sharpe, *Personal Rule*, p.158.

<sup>229</sup> Cardenas to Salamanca, 30 November 1640, AGR SEG 371 f.327v.

doubtless on terms unfavorable to the king. Strafford's reputation was great even among the courtiers and lower officials in Flanders, for Gerbier reported that all those he met were shocked to hear "my lord lieutenant (a person of his obligations and parts) should be charged with high treason, and would wonder the more iff such an accusation should be well grounded."<sup>230</sup> Even from a distance, the Cardinal-Infante seemed aware that the preceding months' labors were imperiled. Mourning the loss of Strafford's crucial support in the English court, he wrote "that which Parliament is doing gives much danger to these matters which could result in divorcing that king from any treaty favorable to the king my lord." He nevertheless ordered the three ambassadors to continue in whatever services they could, particularly with trying to get permission for raising Irish troops, telling them that money was now available for that project.<sup>231</sup> Previously, the three ambassadors' recruitment efforts had been suspended because Charles had made permission dependent upon conclusion of the treaty, but the Spaniards had reason to hope that the recent great shifts would at least make the levies negotiable again.<sup>232</sup> When Cardenas reported that Windebank had fled England with Charles's permission and was in need of asylum, the Cardinal-Infante evidently felt enough gratitude to offer the fleeing Secretary of State refuge in Flanders before being told that Windebank had already gone

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<sup>230</sup> Gerbier to Vane, 8 December 1640, TNA SP77/30 ff.319v-320.

<sup>231</sup> Cardinal-Infante to Velada, 8 December 1640, AGR SEG 378 ff.218-218v.

<sup>232</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 26 October 1640, AGR SEG 377 f.209. Cardenas, Malvezzi, and Velada to Cardinal-Infante, 18 January 1641, AGR SEG 377 f.272.

to France.<sup>233</sup> The ambassadors themselves were moved with sympathy for Strafford, then languishing in the Tower, as the Parliament-men continued to gather evidence for their case against him. In early January, they were contacted by one of Strafford's servants, who delivered a letter in which the embattled earl asked for the Spaniards to take custody of a cargo of what he purported to be clothing that he wished to send clandestinely from Ireland to Dunkirk. He asked that it be admitted free of customs and without requiring formal passport, and also requested that if the Cardinal-Infante agreed the orders should be kept secret so as not to fall under the gaze of Parliament.<sup>234</sup> Eager to assist Strafford in any small way they could manage, the ambassadors added their own pleas to Strafford's. The Cardinal-Infante duly permitted the passage of the clothing, but instructed that it be directed not to Dunkirk but rather to Ostend or some other quieter port.<sup>235</sup> Thus accepting Strafford's literal or figurative dirty laundry, the Cardinal-Infante fulfilled "the desire here to do all that can be done for that *caballero*."<sup>236</sup>

Apart from these efforts on behalf of Charles's ill-fated ministers, the three ambassadors' fruitfulness in London had truly come to an end, and by 21 December, the Venetian Giustinian had concluded of the court Hispanophiles, "That party is completely

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<sup>233</sup> Cardenas to Salamanca, 21 December 1640, AGR SEG 371 f.344v. Salamanca to Cardenas, 29 December 1640, AGR SEG 371 f.348.

<sup>234</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 11 January 1641, AGR SEG 377 ff.263-263v.

<sup>235</sup> Marginal note of Cardinal-Infante on letter of Cardenas, Malvezzi, and Velada to Cardinal-Infante, 11 January 1641, AGR SEG 377 f.264v.

<sup>236</sup> Salamanca to Velada, 27 January 1641, AGR SEG 377 f.297v. Note: Neither the cargo's specific content nor any record of its transit or ultimate fate are found in the documents consulted in this study.

overthrown.”<sup>237</sup> On 2 January, Velada, Malvezzi, and Cardenas were able to take an audience with Charles, during which they complained that the arrest of Strafford and the flight of Windebank had left them with no one with which to do business. Asking Charles to appoint new negotiators who they hoped would be well-affected to Spain, the ambassadors noted that the king made a point of not referring to any of the spectacular events underway at Westminster or the manner of the “accidents” which had deprived the negotiations of their principal English participants.<sup>238</sup> Charles responded in vague terms, promising to send ministers to renew the negotiations but not setting when. Additionally, he stressed that the ambassadors’ delays had “caused him much damage” and replied that he had heard reports of the December outbreak of rebellion in Portugal, trusting that Philip would soon be in need of speedy help as well.<sup>239</sup> While Charles in this audience was still ready to insist that granting permission for Irish recruitment would be dependent upon a treaty with Spain, as the month continued even the English appeared to have given up all hope of salvaging any of Strafford’s negotiations. On 18 January Cottington first suggested that the Spanish could take over Strafford’s Irish army, which seemed fated to be disbanded, requesting that Spain be ready to pay at least 50,000 escudos—12,500 pounds—for the privilege.<sup>240</sup> While the ambassadors’ request for the

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<sup>237</sup> Giustinian to Doge and Senate, 21 December 1640, CSPV, 1640-1642, pp.99-109.

<sup>238</sup> Audience of His Majesty’s Ambassadors with this king, 2 January 1641, AGR SEG 377 f.242.

<sup>239</sup> Ibid. f.242v.; Portugal had been a long brewing problem for Olivares whose centralizing projects in the Iberian peninsula eventually obliged the Portuguese to renounce the authority of Philip IV on 1 December 1640: Elliott, *Count-Duke*, pp.597-598. Stradling, *Philip IV and the Government of Spain*, (New York, 1988), pp.182-184.

<sup>240</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 18 January 1641, AGR SEG 377 ff.272-272v.

funds immediately aroused interest in both Brussels and Madrid, the disbandment would not come until May 1641, with little profit for Spain and far less for England.<sup>241</sup>

A further complication, and also a sign of Charles's waning faith in Spanish salvation, came in the form of the marriage agreement brokered with the Prince of Orange in early 1641. Cardenas and Malvezzi had both reported rumors of such a negotiation underfoot in December of 1640, and the Cardinal-Infante gave strict orders that they were to try to impede this alliance in any way they could.<sup>242</sup> Concurrently with Brussels' reaction, the three ambassadors were already reporting that most in the court took the marriage for a *fait accompli*. Nevertheless, they proposed disruption using the whiffs of a second Spanish Match between the Princess Mary and the Prince of Asturias, Balthasar Charles, which Olivares and Philip had permitted them in 1640.<sup>243</sup> By mid-January, the ambassadors reported that they had not enjoyed any luck in trying to advance their business, while the reception at court of two emissaries from the Dutch States-General and a third representing the Prince of Orange seemed to confirm that the marriage treaty with the house of Orange was all but concluded.<sup>244</sup> The conclusion of the marriage treaty did much to sour relations between the ambassadors and Charles, who

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<sup>241</sup> Stradling, *Spanish Monarchy and Irish Mercenaries*, pp.30-40.

<sup>242</sup> Cardinal-Infante to Cardenas, Malvezzi, and Velada, 4 January 1641, AGR SEG 377 f.244.

<sup>243</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 4 January 1641, AGR SEG 377 ff.250-250v.

<sup>244</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 18 January 1641, AGR SEG 377 ff.268-268v.

never did appoint new ministers and would henceforth communicate with the Spaniards' only via Cottington.<sup>245</sup>

Writing a comprehensive report when the cause was clearly lost in mid-February, the ambassadors recorded that their efforts to suggest the Anglo-Spanish marriage had been thwarted by the slowness of communication with Madrid and also Charles's unceasingly desperate situation in England. Speculating on Charles's thoughts on the matter, they believed the Orange-Stuart marriage was an attempt to aid himself "with the negotiation and coercion against his rebels and also to calm the Parliament which he thought would be agreeable to this alliance."<sup>246</sup> Following the delay in Spain's providing the 200,000 escudos that had been so urgently requested by Strafford in August 1640, the ambassadors' believed that with the arrest of Strafford and the end to his negotiations with Spain, Charles had given up on Spanish assistance and turned to the only other source of foreign aid that appeared plausible. Nevertheless, far from fearing having dropped Charles into the arms of the Dutch, to large degree they pitied the Dutch for believing they could gain anything from alliance with the king of England. After nearly a year in the English court Velada and Malvezzi had grown tired with Charles's notorious indecisiveness and could apparently only muster contempt in their final appraisals of his character:

the mind of the king cannot be measured because each day he changes; he would turn to negotiate with the Scots only to oppose them and would agree with the

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<sup>245</sup> Report of conversation between Velada and Cottington, 18 January 1641, AGR SEG 377 ff.274-275v.

<sup>246</sup> Cardenas, Malvezzi, and Velada to Cardinal-Infante, 15 February 1641, AGR SEG 377 f.329.



Parliament only to turn against them in a sort of fever for which there is no cure that leaves him discredited with everyone<sup>247</sup>

Madrid had come to share the same view of Charles, his government, and his promises. Reviewing the above quoted letter the Council of State voted to sever all further discussion of a possible Anglo-Spanish marriage.<sup>248</sup> This only came as the final blow to any hopes for the Anglo-Spanish alliance that had seemed so nearly within reach in early 1640. On 26 January 1641, reacting to the ambassadors' letters regarding Charles's signing of the Treaty of Ripon with the Scots and the arrest of Strafford under pressure from the English Parliament, Olivares and the other members agreed in a vote that "the king of England is in a state in which we have nothing either to hope or fear from him." In the same session the council approved closing the extraordinary embassy and permitting Velada and Malvezzi to leave, entrusting the only remaining business of the recruitment of Irish soldiers to Cardenas who would continue as Philip's ordinary ambassador at Charles's court.<sup>249</sup>

The 200,000 escudos, which the Council had approved in November, had been made available in Brussels in late January.<sup>250</sup> When informed of this by Secretary Salamanca and asked whether it was still in Spain's interest to disburse it, Velada answered in the resoundingly negative. "The state of affairs of this king and this kingdom," he wrote, "is not one we find suitable to give as a loan the sum that His

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<sup>247</sup> Ibid. ff.330-333.

<sup>248</sup> Council of State, 26 April 1641, AGS E 2522 [unfoliated].

<sup>249</sup> Council of State, 26 January 1641, AGS E 2522 [unfoliated].

<sup>250</sup> Salamanca to Cardenas, Malvezzi, and Velada, 27 January 1641, AGR SEG 377 f.297v.

Majesty (God keep him) permits” stating that they had taken it upon themselves to not give the bills of exchange to Charles’s ministers.<sup>251</sup> Receiving this response in Brussels, the Cardinal-Infante was in full agreement with the ambassadors’ decision not to disburse the money, but rather hoped it would be better employed in funding the recruitment project being handed to Cardenas.<sup>252</sup> Wasting no time upon receiving license to leave England, Velada and Malvezzi both departed London on 26 February. Cardenas noted with some amusement that Velada was so eager to escape the country that he had not delayed his departure even on account of a severe foot pain which had begun the same day.<sup>253</sup> Shortly after Velada’s departure, English letters arrived in Brussels inquiring after the 200,000. Inclined to uphold Velada’s decision, the Cardinal-Infante nevertheless wrote to Madrid for the final word.<sup>254</sup> Writing back at the start of May, Philip fully approved of withholding the sum, stating that by marrying his daughter to the House of Orange and even worse, receiving emissaries of John of Braganza in the capacity of ambassadors of Portugal, Charles had shown himself no friend of Spain. Philip thus did not feel in any sense obliged to aid him.<sup>255</sup> Thereafter, with the exception of Cardena’s subsequent struggle to sweep up the disbanded Irish army, Spain’s involvement with Charles’s government came to an end.

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<sup>251</sup> Velada to Salamanca, 1 February 1641, AGR SEG 378 f.256.

<sup>252</sup> Salamanca to Velada, 9 February 1641, AGR SEG 377 f.310v.

<sup>253</sup> Cardenas to Diego de la Torre, 1 March 1641, AGR SEG 372 f.40.

<sup>254</sup> Cardinal-Infante to Philip, 9 March 1641, AGR SEG 228 f.120.

<sup>255</sup> Philip to Cardinal-Infante, 1 May 1641, AGR SEG 229 f.9.

#### IV. Conclusion

When John Pym addressed the Long Parliament on 17 August, four days after the official opening, he entered into a three-hour denunciation of Charles's efforts toward political autocracy, the religious reforms of the Scottish and English churches, and the prosecution of the Scottish war. Never separated from Pym's list of political grievances was his consistent assertion that the corruptions in government were the planned outcome of a "Popish plot."<sup>256</sup> These claims were nothing new, especially not for Pym, who in the Short Parliament on 27 April had delivered a lengthy speech decrying "the encouradgmente given to them of the Popish Religion" and what he perceived to be an accompanying "Applying of us toward a conversion to Rome."<sup>257</sup> In his discourse on 17 November, however, Pym added an additional form of subversion: foreign intervention. Among the authors of the nation's ills, Pym named "agents for Spain and other kingdoms by pensions," "pensioners to foreign princes," and "pensioners, solicitors of the Pope, King of Spain."<sup>258</sup> Pym's additions to his previous anti-popish rhetoric reflected the rumors that swirled in London's streets after the dissolution of the Short Parliament and also support the suggestion that he was receiving news of the negotiations between the Spaniards and Strafford from sources like the French agent Montreuil. Pym went on to

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<sup>256</sup> Anthony Fletcher, *The Outbreak of the English Civil War*, (London, 1981), pp.xxii-xxv, 3-4. Hibbard, *Popish Plot*, pp.170-172. Russell, *Fall of the British Monarchies*, pp.216-218.

<sup>257</sup> Esther Cope Ed., *Proceedings of the Short Parliament of 1640*, (London, 1977), pp.150-151.

<sup>258</sup> Maija Jansson, Ed., *Proceedings in the Opening Session of the Long Parliament, House of Commons*, vol.1, 17 November 1640, pp.35, 38, 39, 43, 46.

claim in his speech that the alleged Spanish party was also seeking to “bring soldiers from beyond the sea,” which he connected to the events in the Downs in 1639, saying “the great navy of Spain carries and ill scent, and to this hour I could never learn what to make of it nor anybody else I could hear of.”<sup>259</sup> Obviously this bears a clear relation with the Anglo-Spanish discussions relating to the Gage plot, which Hamilton had leaked to the Covenanters, and also with the court gossip reported by observers like the Venetian Giustinian that had interpreted the Spanish ambassadors’ coming as a prelude to a naval treaty.

Despite Pym’s apparent awareness of these currents, any mention of them disappears from subsequent speeches and debates in the Commons. Also notably, there is no reference to the treaty with Spain in the articles drawn up against Strafford during his trial for treason, either in their initial reading to the Commons on 4 December or their eventual final form.<sup>260</sup> The accusation of importing foreign armies only survived in the form of recounting Strafford’s notorious offer to Charles on 15 May 1640 of the Irish army as a means to subdue the Scots, which Parliamentary suspicions also read as an intent to suppress dissent in England. Why this occurred is unclear, but it is possible that Strafford and Windebank successfully eliminated all concrete evidence of their negotiations, a theory consistent with the absence of relevant manuscripts in British archives. Nevertheless, the rumors and accusations of a plot with foreign connivance lived on in the effusion of popular print which accompanied the deepening national crisis

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<sup>259</sup> Jansson, Ed., *Proceedings*, pp.36, 40, 43, 47.

<sup>260</sup> Jansson, Ed., *Proceedings*, 4 December 1640, pp.266-284. *Depositions and articles against Thomas earle of Strafford, Febr. 16. 1640*, (London, 1641), STC 25248.

throughout 1641-1642. By 1642, the general trend was to present the Parliament's execution of Strafford, its imprisonment of Laud, and its fettering of Charles's royal prerogative as a great victory of Protestant England against the perceived Papal-Spanish plot. In a series of clearly fictitious letters claiming to be intercepted communiqués of the King of Spain to his ambassadors in England, Philip is made to remark that, "whereas we had a hope by our Agents in England and Germany to effect the great work of the Western Empire," the Spaniards had been foiled by "the discovery of others, our Intendements, so that our hopes are for the present adjourned till after more convenient and more auspicious time."<sup>261</sup>

The threat represented by foreign interests lived on, however, and became a central theme in many works that sought to win the people's support for the Parliament. Some pamphlets were so fervent that they ascribed suspicious motives to nearly every foreign power that moved ships through the North Sea. One such work from 1642 claimed England was being menaced by not only Spain, but also, France, Venice, and even Denmark.<sup>262</sup> While several pamphlets would raise the threat of invasion in a similarly indiscriminate manner, Spain and the Habsburgs remained a favorite *bête-noir*. In a strange parody of Olivares's conviction that an Anglo-Spanish alliance would tip the scales of power in Flanders and Germany in the Habsburgs' favor, many of the pamphleteers portrayed the European war as in a critical phase in which events in

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<sup>261</sup> *A perfect relation of four letters of great consequence read in the House of Commons Octob. 11 and 12.*, (London, 1642), Thomason E.122(1).

<sup>262</sup> *The King of Denmark, the King of France, the King of Spaine, the States of Venice Navies on the Seas, intended for England.*, (London, 1642), Thomason E.129(29).

England were the determinant between victory and defeat for the Franco-Protestant forces. In one purported conversation between the Pope, the King of Spain, and the Emperor, the three leaders of the Catholic world are made to lament the decline of their fortunes in recent years and that all their efforts at conquest and subversion are being undone throughout Europe.<sup>263</sup> A similar pamphlet narrating a conversation between the Pope and the Devil has Satan taunt the Pontiff that all his plans are coming to ruin because of the actions of the English Protestants in Parliament who have routed the Pope's party in England and have dealt Spain "a worse Plague than that in 88."<sup>264</sup> While the author of *A collection of records of the great misfortunes that hath hapned unto kings that have joined themselves in a neer alliance with forrein princes* declined to name which particular alliance he feared, the text's insistence that the king ought to rely only on his own subjects gathered in the Houses of Parliament indicated some awareness of what had been afoot in 1640.<sup>265</sup> Likewise telling is that enterprising printers found the political climate opportune to reprint copies of a 1588 account of the defeat of the Spanish Armada as well as the Earl of Bristol's 1626 articles against the Duke of Buckingham, which denounced the duke for having favored and advanced the Spanish Match and the Jacobean project for alliance with Spain.<sup>266</sup>

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<sup>263</sup> *A conference between the Pope, the Emperour and the King of Spaine holden in the castle of St. Angelo in Rome.*, (London, 1642), Thomason E.155(10).

<sup>264</sup> *A disputation betwixt the Devill and the Pope.*, (London, 1642), Thomason E.132(8).

<sup>265</sup> *A collection of records of the great misfortunes that hath hapned unto kings that have joined themselves in a neer alliance with forrein princes with the happy sucesse of those that have only held correspondency at home.*, (London, 1642), Thomason E.122(5).

<sup>266</sup> *Articles drawn up by the now Iohn Earle of Bristoll and presented to the Parliament, against George late Duke of Buckingham, in the yeare 1626.*, (London, 1642), Thomason E.126(20). *The copie of a letter*

The fact that all mention of the Spanish negotiations drops out of the official record after Pym's initial attack on 17 November, and that it only survives in the canon of popular print has doubtless contributed much to their obscurity in histories of the period. Even among those popular publications which bear some resemblance to fact, the truthful aspects of the accounts are often interspersed with laughable claims that are clearly the pure invention of authors looking to sell pamphlets. With such a paper-trail on the English side as this, it is no wonder that successive generations of historians have seen fit to dismiss the negotiations as of no consequence or even to disbelieve the rumors entirely, treating them as alike to the countless other outlandish conspiracy theories propagated in the book stalls of the 1640s. The great contribution of Caroline Hibbard was to show that so many of these popish plots, long dismissed by historians as the ramblings of paranoid religious zealots like Pym, actually had some basis in reality. While Hibbard makes no claim that any of the machinations involving prominent Catholics at the Caroline court in 1637-1640 ever represented anything resembling a unified and coordinated general conspiracy, her catalog of the many schemes floated by figures like the Papal envoy George Con or the always-devious Duchess of Chevreuse do demonstrate that an outside observer, catching only snippets of Charles's backroom dealings, could easily come to the same conclusion as Pym. Nevertheless, Hibbard's account presents these many desperate projects, including the negotiations of Velada, Malvezzi, and Cardenas, as having no serious potential to rewrite the history of the civil

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*sent out of England to an ambassadour in France for the King of Spaine.*, (London, 1641), Thomason E.131(27).

war because they were all too fanciful, too expensive, and simply impossible. In the case of the Spanish negotiations, however, a closer analysis reveals that they had tremendous potential to shift the balance of power in England in the king's favor and drastically change the history of the civil war, if not preclude it entirely. Hibbard, like many others, followed J. H. Elliott in dismissing the negotiations' significance on the basis that Spain had no power to assist Charles and that the project itself was merely an expression of the synchronized desperation felt by Strafford and Olivares in the face of the Scottish rebellion and escalating Thirty Years War. This interpretation, however, ignores the preceding decade of Anglo-Spanish relations that reveal just how highly and consistently the Spaniards valued the prospect of an English alliance, and the intimate familiarity each side had with the other's desires to allow them to negotiate an acceptable treaty so quickly. Olivares was not pursuing an unrealistic pipedream as an escape from the mounting predicaments facing the Spanish monarchy. Rather, he was triumphantly finally securing something that had been a cornerstone of his Northern European policy since 1630. Likewise, Strafford's overtures to Spain were not a desperate gamble to procure money for Charles, but were undertaken with the confidence that Spain would never allow the opportunity to provide Charles money in exchange for naval assistance to escape them.

So what went wrong in 1640? Why, at the very moment when Spain seemed cleared to achieve all that it had desired of England since 1630, and England seemed finally ready to concede, were the negotiations allowed to wither away? On the English side, the answer is obvious. Charles was forced away from the negotiating table as



momentous events began to make his decisions for him, or at least narrowly restrict them. The traditional narrative of these talks, drawn from Elliott, maintains that Philip and Olivares were in no less a predicament than Charles and Strafford. Confronted with the May 1640 rebellion in Catalonia and that in Portugal in December, Spain was obligated to drop out of the negotiations as surely as was England.<sup>267</sup> While this model of a mutual retreat does offer to explain the readiness with which Spain abandoned the negotiation as Charles receded, it is not consistent with the overwhelming sense of Spanish advantage that one finds in the general attitude of Olivares's comments in the Council of State sessions or in the letters of the three ambassadors themselves.

It is true that Olivares and Philip did apparently share some fears of the possible international impact of Charles being forced to co-exist with a Puritan-dominated Parliament and that these fears influenced them to relax the demands they planned to impose on Charles. But even so, these adjustments appear to be as much result of calculations of Charles's changing abilities as serious efforts to keep him on his throne. Even in his letter of 26 June to Malvezzi, in which Philip authorized the three ambassadors to negotiate on the basis of the Necolalde treaty, Philip made clear it was Charles's capacity to offer assistance that he doubted, not his own ability to pay for it.<sup>268</sup> This is not to say that the pressure on Flanders, the emergency in Catalonia, and the later revolt in Portugal were negligible. They were not, and both Olivares and Philip were clearly interested in putting those affairs to rest. But what they lacked to do so were not

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<sup>267</sup> Elliott, "Year of the Three Ambassadors," pp.179-180. Cust, *Charles I*, (Edinburgh, 2005), pp.250, 260. Russell, *Fall of the British Monarchies*, p.129. Sharpe, *Personal Rule*, pp.897-899.

<sup>268</sup> Philip to Malvezzi, 25 June 1640, AGR SEG 377 ff.86-86v.

material resources but rather stout and hardy men ready to stand as effective soldiers, which they hoped to find in Ireland. Far from turning inward while consumed by domestic threats, the Spanish continued to seek access to the Irish soldiers they esteemed so highly. Cardena's efforts to secure Strafford's Irish troops and the money to support it continued right up to the outbreak of the Irish Rebellion at the end of October 1641. Even then, Spain's efforts only changed direction and turned to the Catholic Confederates instead of Charles's English and Irish ministers.<sup>269</sup> When Madrid gave Malvezzi and Velada their licenses to return in early 1641, they were not abandoning the search for help for the Spanish monarchy, but only Charles and his increasingly irrelevant government.

Where Spain can be blamed for precipitating the collapse of the negotiations and failing to conclude the long-sought Anglo-Spanish treaty is in the relatively little urgency with which the whole affair was handled. To begin with, the gravity of the situation did not seem to be appreciated in Madrid until it was almost too late. Madrid and Brussels were both aware that Charles was facing serious difficulty in Scotland, as the letters of Philip and Cardinal-Infante from 1638 onward demonstrate. But while they each recognized that Charles was encumbered enough to lose his fixation on the Palatinate, Madrid especially seems to have consistently overestimated Charles's security in England and underestimated the potency of the forces arrayed against him both within England and without. This is also consistent with the much more relaxed attitude Madrid took

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<sup>269</sup>Jane Ohlmeyer, "Independent Ireland: Confederate Foreign Policy and International Relations during the Mid-seventeenth Century," Ohlmeyer, ed., *Ireland from Independence to Occupation*, (New York, 2002), pp.93-101. Igor Perez Tostado, "Cañones para Irlanda," Francisco Jose Aranda Perez ed., *La Declinacion de la Monarquia Hispanica en el Siglo XVII*, (Cuenca, 2004), pp.281-296.

toward England's apparent threat in 1637-1638, in contrast to the grave concern in the nearer court of Brussels. Indeed, Olivares had expressed his belief in 1638 that the whole affair in Scotland would dissipate in time, and that Spain's interest was in acting while Charles, in the midst of the mess, was diplomatically vulnerable.<sup>270</sup> This view seems to have persisted over the next year and a half, and only shifted after receiving the three ambassadors' accounts of the Short Parliament, which revealed the stark differences between Charles and his English subjects.<sup>271</sup>

Acting as both a cause and effect of Madrid's flawed perspective was the excruciating slowness of communications between Spain and Northern Europe. Forming its policy off news that was always nearly a month old, Spain sent Malvezzi and the orders for Velada and Cardenas based on outdated understandings of English conditions. Just as in 1637-1638, when Madrid seemed ready to wait out Charles's bluff while Brussels was begging that Philip offer Charles some token satisfaction regarding the Palatinate, Spain in 1640 seems to have believed that by waiting, Charles's needs in Scotland would eventually rise sufficiently enough to force him to accede to whatever Spain demanded. Thus, Malvezzi delivered the orders to Velada and Cardenas that the three ambassadors were not permitted to negotiate anything except on the basis of the 1631 Cottington agreement, despite Strafford's stubborn efforts to insist on the 1634 Necolalde treaty throughout the critical months of May and June. By mid-July, when Madrid received news of the dangers facing Charles and Philip altered the instructions

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<sup>270</sup> Elliott, "Year of the Three Ambassadors," p.167.

<sup>271</sup> *Voto* of Olivares in the Council of State, 16 June 1640, AGS E 2521 [unfoliated].

accordingly, events in England and Scotland had already changed enough that Strafford had all but abandoned the proposed alliance was reduced to begging for the immediate grant of 200,000 escudos. Likewise, by the time Spain deliberated on that request and approved the measure in mid-November, Strafford was already imprisoned, and all hope of saving Charles from his Parliament gone with him. While the problem of distance was insurmountable by the technological capabilities of the day, had Olivares and Philip been truly bent on obtaining the treaty with England with the greatest speed possible, they could easily have dispatched Malvezzi and Velada to England with plenipotentiary powers and broad instructions for negotiating and concluded the treaty with Strafford on the spot. Indeed, this was precisely the manner by which Charles had attained the 1630 Peace of Madrid via Cottington a decade earlier, including the much-prized agreement for joint-action against the Netherlands.<sup>272</sup> The Spaniards themselves had sent the Constable of Castile with plenipotentiary powers to England for the 1604 Treaty of London.<sup>273</sup> Thus, there was ample precedent on both sides for gaining quick results by this means. That Madrid did not do this in 1640 was indicative of the lack of any sense of urgency with which they entered into the English negotiations.

In the aftermath of the departure of Malvezzi and Velada, Spain continued to keep an eye on events in England, but never again sought to influence them or make any serious overtures to Charles. This did not mean that Spain had chosen to ignore England, however, only her king. Alonso de Cardenas would remain in London until 1655,

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<sup>272</sup> Havran, *Caroline Courtier: the Life of Lord Cottington*, (London, 1973), pp.97-102. Reeve, *Charles I and the Road to the Personal Rule*, (New York, 1989), pp.247-257.

<sup>273</sup> Allen, *Pax Hispanica*, pp.126-131, 134-137.

observing all of the most dramatic moments of the English Civil War and the Cromwellian regime, and would later write his own history of “the English Revolution.”<sup>274</sup> An early exponent of dealing with Parliament rather than Charles, during his lengthy tenure Cardenas was able to establish a good working relationship with the Independents and even procured some recruitment permits from the Parliament-men in 1647.<sup>275</sup> For his part, Charles had also not forgotten Spain, and would make at least one more attempt to solicit Philip’s aid on the eve of the Civil War. After being presented with the Grand Remonstrance in December 1641, which amounted to the Parliament’s wholesale repudiation of the personal rule, Charles had allegedly contacted Cardenas via Secretary of State Edward Nicholas offering to mediate an Hispano-Dutch peace (via his new familial link with the House of Orange) in exchange for “a prompt and considerable sum of money.”<sup>276</sup> In a bizarre mirror image of Olivares’s vision of a union of Calvinist republics, Charles’s vision aligned himself with the Orangist movements within the Dutch Republic, which he claimed would act in tandem with the Spanish to make the Prince of Orange, “absolute in parts of those provinces, with dependency or investiture from Your Majesty.”<sup>277</sup> In addition to this happy union of monarchs, Charles also offered the right to recruit extensively in Ireland and England. Unsurprisingly, the Council of State placed little stock in any of this, and while they did explore what conditions they

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<sup>274</sup> A. J. Loomie, “Alonso de Cardenas and the Long Parliament,” pp.292-307. Alonso de Cardenas, *La Revolucion Inglesa*, Angel Alloza and Glyn Redworth, Eds., (Madrid, 2011).

<sup>275</sup> Loomie, “Alonso de Cardenas and the Long Parliament,” pp.296-299.

<sup>276</sup> Council of State, 23 April 1642, AGS E 2522 [unfoliated].

<sup>277</sup> For the development of the monarchical tendencies of the Orangist movemen under Stadhouder Fredrik Hendrik, see: Jonathan Israel, *The Dutch Republic*, (New York, 1995), pp.537-546.

would expect of the House of Orange to be recognized as legitimately invested lords of the Netherlands, they ultimately concluded that it was nothing but desperate babbling from Charles and voted to ignore the offer completely. *Sic transit gloria mundi.*

## **Conclusion**

This dissertation has presented a moment at which the histories of England and Spain intersected with one another and which could easily have had tremendous impact on both countries. Because of the difficulties of time and distance involved, as well as the chronic lack of appreciation for the severity of Charles's domestic crisis by Olivares and the other principal Spanish ministers, the treaty proposed and agreed by Strafford, Windebank, Cardenas, Malvezzi, and Velada in 1640 withered on the vine. Nevertheless, despite the treaty's ultimate failure to bear fruit, it is astounding to consider how near it came to conclusion. What is even more astounding is that the whole affair has so far been almost completely absent from history of early modern Britain and the outbreak of the civil wars. The search for the domestic origins of the civil wars have precluded many historians entirely from giving any attention to influences from abroad in the critical period from 1637-1642. Those historians that have noticed Charles's eleventh hour diplomacy, not only with Spain but also with France and the Netherlands, have consistently failed to appreciate the significance of the Spanish ambassadors' arrival through the exclusion of the preceding decade of Anglo-Spanish negotiations in their analyses. Both these forms of scholarly oversight rest squarely on the assumption that Charles was an island-monarch and had only minimal contacts or interests with the other kingdoms and states of Europe. This dissertation represents an open challenge to that assumption and demonstrates perfectly the need for the inclusion of European sources and European perspectives in the writing of British history.

Throughout the personal rule, Charles remained as engaged with the Continent as his father had been. One might even argue that Charles's engagement was of greater significance than his father's because the stakes were much higher. More than seeking the creation of a pacifying European consensus built upon an Anglo-Spanish entente, such as was envisioned by King James, either of the two options available to Charles for international action would have forced him to take up arms on one side or the other of the Thirty Years War. The situation in Europe and Charles's principal diplomatic objectives made peaceful interaction and mediation with Continental states impossible. Shaken from his experiences in the wars with Spain and France during 1625-1630, Charles wanted no part of the conflagration engulfing Europe, but his foreign policy was fixed squarely on the restitution of the Palatinate, an issue inextricably bound to the fortunes of the European war. His nephew's restoration was a personal point of honor for him since his sworn declaration to regain the Palatinate in the 1620s. More generally, the recovery of Prince Charles Louis's ancestral lands would have been a resounding triumph and vindication of the personal rule, and a great boon to the prestige of the English monarchy, both at home and abroad. While alliance with Sweden and France seemed, especially after 1636, the most straightforward and efficient way to recover the Palatinate, it would necessitate war and thus also, a Parliament, two things Charles was desperate to avoid. This is why even in the icy period from 1637-1638, when Brussels feared the imminent attack of the English fleet, negotiation with the Habsburgs for a mediated restitution always remained the most attractive option from Charles's point of view. Spain was easily the best equipped to give Charles what he wanted, in the manner he wanted.



Spain's attractiveness to Whitehall was mirrored by England's prominence in Spanish strategy. From the vantage point in Madrid, Charles was holding all the cards that Spain believed were essential to Habsburg victory in the Thirty Years War. Olivares's expectation that the mere existence of an Anglo-Habsburg alliance would be sufficient to bring the Dutch to the negotiating table may have been a bit far-fetched and fantastic, but England's other potential contributions to the Habsburg war effort were easily realizable. Had Charles employed his expanded navy in support of Spain's North Sea naval forces, especially at critical moments like the Battle of the Downs in 1639, much of the worry in Madrid and Brussels over Flanders's security would have been lifted. In such a case, it might rather have been the Prince of Orange and the High-Mighty Lords of the States General in The Hague who would have feared the possibility of simultaneous land and seaborne invasion. Likewise, had the Spaniards been free to raise as many Irish and English tercios as they wished, they would have had the manpower to make good on such threats. Olivares continually believed that victory in Flanders was a necessary precondition to a final resolution in Germany. In his geopolitical calculations, England's participation amounted to nothing less than the key to final victory. Unfortunately for Spain, however, they were asking Charles to fight a war, the very thing he was anxious to avoid.

With the stage thus set, 1640 emerges as the shattering of the deadlock that had paralyzed the previous ten years. Spain's pressing needs for the assistance of the English fleet and the large-scale recruitment of English and Irish soldiers were at their highest, thanks to the closure of the Spanish Road, the endangerment of the sea route to Flanders

after the Battle of the Downs, the increasing power of France, and finally, rebellion in Catalonia. Philip IV had the money to support his military projects, but resource-depleted Castile simply lacked the ability to raise the necessary men and ships on its own after twenty-two years of war in Germany and nineteen of renewed war in Flanders. Charles, in his Scottish crisis, found that war was upon him, whether he wished it or not, thus eliminating one of his two major objections to the Spaniards' previous demands for a military alliance. The other objection, that of having to summon and wrangle with a Parliament, was now the very thing the Spaniards promised to help Charles avoid. Of further help in facilitating a rapprochement, the Palatinate's centrality to Charles's foreign policy completely disappeared after the stop-gap Pacification of Berwick with the Scots. When Malvezzi and Velada arrived to join Cardenas in London just in time for the dissolution of the Short Parliament, it was no coincidence. Rather, it was the final act of ten years of meticulous planning and ardent hopes from Brussels and Madrid. For Strafford and Charles, it was a turn to what they expected would be a guaranteed-effective option of last resort which had only gone unused thus far because the expected side-effects had been too great for the more stable years of the 1630s.

Could Spain have saved Charles I from his predicament in 1640 and averted the king's subjugation by the convergence of the Scottish invasion and the opening of the Long Parliament? It is impossible, of course, to answer that question with any certainty, and it is only of limited usefulness to indulge in too much exploration of counterfactuals. Nevertheless, one can safely conclude that with Spanish assistance, the chronology of events in England would have unfolded differently than they did. The cost of raising,

equipping, and supplying an army in the mid-seventeenth century was not cheap. In 1638, the king's councilors anticipated a cost of 900,000 pounds per year to maintain a force sufficient to combat the Scottish rebels.<sup>1</sup> By the end of December 1639, especially in light of Charles's intent to equip his force with an extensive artillery train, the projected costs for the 1640 campaign were estimated by Northumberland to be no less than 1,000,000 pounds.<sup>2</sup> To foot these considerable bills, Charles, goaded by Strafford and Laud, embarked on an ambitious and meticulous search to extract money wherever and by whatever means he could, even resorting to heavy-handed bullying of the Merchant Adventurers to hand over the rather paltry sum of 40,000 pounds.<sup>3</sup> These efforts, while they did nothing to improve the public image of the Crown on the eve of the Long Parliament, were nonetheless remarkably fecund, and by the end of 1640, the royal treasury had collected some 857,712 pounds in cash with an additional 102,381 in assigned tallies. Despite this impressive sum, the money took time to collect, far more time than Charles had, and most was not on hand when the king desperately needed it in the summer of 1640.<sup>4</sup>

Charles's hoped-for twelve subsidies from the Short Parliament would have gone a long way toward making up the shortfalls. A 1640 subsidy might have been as much as 70,000 pounds, putting it at about the same level as the relatively healthy quantities voted

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<sup>1</sup> Fissel, *The Bishops' Wars*, p.111.

<sup>2</sup> Fissel, *The Bishops' Wars*, p.115. Russell, *The Fall of the British Monarchies*, p.92.

<sup>3</sup> Fissel, *The Bishops' Wars*, pp.115-123.

<sup>4</sup> *Ibid.* pp.139-142.

in 1621. Twelve such subsidies would have provided Charles with approximately 840,000 pounds over a three-year period.<sup>5</sup> Of course, these subsidies never materialized, due to the resistance of the Parliament and its subsequent dissolution, and Charles was left to search frantically for alternative revenues in May 1640, precisely the moment he turned to Spain. The Spanish offer of 1,200,000 escudos—300,000 pounds—would have been a godsend to Charles’s preparations, especially with the supplemental monthly payments of 100,000 escudos—25,000 pounds—Philip was willing to commit to Charles’s use. The king’s own fundraising efforts were slow, and the Spanish payments would not likely have proceeded much faster, but together, the two flows of cash could have made the difference against the Scottish invasion. Had the negotiations between Strafford and Cardenas, Malvezzi, and Velada moved at a quicker pace, and had the terms been agreed at the end of May instead of the beginning of August, much could have been accomplished, as Strafford himself lamented to the ambassadors.<sup>6</sup>

The second question posed by this story is whether or not the Spaniards could have produced the necessary funds once they had committed to the treaty. Spain in the 1640s was being pushed to the limits of its abilities and it is with good reason that the mid-seventeenth century is taken as the benchmark in the story of Spanish decline.<sup>7</sup> As seen in the deliberations of the Council of State in Madrid, Olivares knew Spain could

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<sup>5</sup> Russell, *Fall of the British Monarchies*, p.119.

<sup>6</sup> Velada to Salamanca, 17 August 1640, AGR SEG 378 f.104.

<sup>7</sup> The “decline of Spain” in the seventeenth century is a well-worn historical question, with different historians arguing for models of absolute or relative decline. For a sampling of the most representative arguments see: J. H. Elliott, “The Decline of Spain,” *Past and Present*, 20, (1961), pp.52-75. Jonathan Israel, “The Decline of Spain: A Historical Myth?,” *Past and Present*, 81, (1978), pp.170-185. Henry Kamen, *Spain in the later Seventeenth Century*, (London, 1980). Christopher Storrs, *The Resilience of the Spanish Monarchy*, (Oxford, 2006). R. A. Stradling, *Europe and the Decline of Spain*, (London, 1981).

not commit to the rapid payment hoped for by Strafford and Charles. In place of the immediate lump sum of 600,000 escudos—150,000 pounds—demanded by Strafford, to be followed by the remainder upon the subsequent quarter day, Olivares suggested an initial lump of no more than 400,000 escudos—100,000 pounds—to be followed by a monthly rate which he was prepared to allow Velada and the others negotiate.<sup>8</sup> This would have been troublesome for Charles's military mobilizations but still, the expectation of money would have brought Charles much more credit than he otherwise possessed.

Spain, despite its myriad difficulties, remained in 1640 an attractive investment, and many financiers in Flanders, Italy, Germany, and even, through roundabout connections, Holland remained ready to loan Madrid money in expectation of the still unabated influx of silver shipments from the rich mines of Potosi and elsewhere in the Americas.<sup>9</sup> Indeed, Spain's financial outlay, at least in the period most salient to Charles's pressing concerns, were unaffected by the strains on the monarchy's resources. The vast sums of money sent for the upkeep of the Army of Flanders remained consistent with those of the preceding decade and the amounts delivered in 1640-1641 were even substantially higher than at many points during the 1630s.<sup>10</sup> Only after 1643, when the situation in Catalonia worsened, did Spain begin stripping financial support from its

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<sup>8</sup> Council of State, 4 September 1640, AGS E 2521, [unfoliated].

<sup>9</sup> Parker, *The Army of Flanders*, pp.128-131.

<sup>10</sup> Elliott, *Count-Duke of Olivares*, pp.516-518. Parker, *The Army of Flanders*, Appendix K.

ambitions in Northern Europe.<sup>11</sup> Also, in 1641, Spain was able to raise sums necessary to facilitate Alonso de Cardenas's ill-fated efforts to acquire Strafford's disbanded Irish army for Spanish service. This was even in spite the great risk involved to the investment. Cardenas had to contend with the enmity of the House of Commons, the resentment of Charles, and the counter-efforts of the Dutch and French diplomats at the English court.<sup>12</sup> While a small sum compared to those demanded by Strafford in 1640, the approximately 30,000 pounds Spain threw at Cardenas's negotiations, only to lose irrevocably 15,000 pounds when Parliament closed the Irish ports and later the Irish themselves rose in rebellion, represents a great willingness on the part of Spain to freely raise and spend money where they thought there was hope to gain advantage.<sup>13</sup>

At the end of the day, it is anyone's guess as to what might have occurred. But it is important to realize that had things advanced more briskly between Strafford and the three Spanish ambassadors in 1640, *something* would definitely have occurred. Whether it would have restored the personal rule to sound footing and left Charles safely atop his throne throughout the 1640s is immaterial. These negotiations could easily have been more than a momentary curiosity in the history of the outbreak of the civil wars. If they had succeeded, even if only to fail later, they would be far more studied in the historiography than they are, which is to say, barely at all. They represent by far the most viable option Charles possessed for obtaining foreign assistance, and, when examined in

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<sup>11</sup> Parker, *The Army of Flanders*, p.220, Appendix K.

<sup>12</sup> Stradling, *Spanish Monarchy and Irish Mercenaries*, pp.30-40.

<sup>13</sup> *Ibid.* pp.34-38.

their proper context, easily stand apart from the outlandish and fantastic schemes of George Con, the Duchess of Chevreuse, the Queen Mother, or the Gage brothers with which they are often grouped together. That they are not taken seriously is a perfect illustration of the insular myopia which has so far plagued historians of Britain. This story also demonstrates the absolute necessity of studying British history in European archives. From a perspective restricted to England, even one which embraces the whole British archipelago, these negotiations are barely present in the insular sources. The most explicit statement available in the state papers comes from a letter of Windebank to Viscount Conway from the end of July (notably before the breakthrough and flurry of activity that led to the successful agreement of terms by 2 August), in which the secretary sardonically declared, “we shall have three ambassadors from that King, and a huge pair of spectacles and yet we cannot see business enough for one.”<sup>14</sup> With such evidence at hand, one can understand why British historians have been quick to gloss over the event. Yet, as the preceding chapters have demonstrated, there was far more at work and at stake. The truth can only be gleaned by looking in the archives of the Continent, in the “world beyond Whitehall.”

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<sup>14</sup> Windebank to Conway, 31 July 1640, TNA SP16/460 f.133v.

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