

The Arrest of Col. William Strode of Barrington, in 1661.

BY H. A. HELYAR.

THE able and interesting paper of Mr. Green, in the Society's *Proceedings* for 1884, on Colonel William Strode, contains a brief sketch of his arrest at the time of the Restoration, for refusing to obey the orders of the Deputy-Lieutenants for Somerset.¹ I think it may be of interest to the Society, on its visit to Barrington Court this year, to make acquaintance with the original and unpublished papers bearing on the incident, which have been preserved until now by my family. These papers will be found *in extenso* in the printed *Proceedings*, and I will here only attempt a short narrative of the facts of the case.

And first, a word as to the actors in the little drama. Of Colonel William Strode a full account is given by Mr. Green. Colonel William Helyar was a staunch cavalier, who, immediately after taking his degree at Exeter College, Oxford, and attaining his majority in 1642, volunteered to fight for King Charles. He raised a troop of horse at his own cost, received the rank of Lieutenant-Colonel in the King's army, and after the fall of Exeter in 1646, had to fly the country. After three years exile he compounded for his estates for a large sum, and returned to Somerset. In 1657 he married Rachel, daughter of Sir Hugh Wyndham of Pilsdon. During the Commonwealth he was in correspondence with the Court

¹ *Proc. Som. Arch. and Nat. Hist. Soc.*, 1884, vol. xxx, p. 62.

of the exiled Charles II, and advanced various sums to his Majesty beyond seas, who on his return, appointed him in 1660 a Captain in Colonel Maurice Berkeley's regiment of mounted Train Bands. In 1661 he became Sheriff for the county. Hence we find him indifferently styled Colonel and Captain in the papers. Later, he was appointed a Deputy-Lieutenant.

Colonel Edward Phelips of Montacute, whose name often occurs, was the well known Colonel Phelips who fought on the King's side, and after Worcester fight accompanied Charles II in his escape. His Son Edward Phelips, also called Ned Phelips, at that time Lieutenant in Colonel Helyar's troop, was later known as Sir Edward Phelips of Montacute.

The case in brief, was this:—On October 16th, 1660, Lord Poulett and Colonel Phelips, two of the Deputy-Lieutenants, instructed Colonel Helyar to summon certain persons (without doubt including Colonel Strode) to send in their allotted proportions of horse, with arms, etc., and to choose able and well affected men to ride in his troops and so forth. This order Colonel Helyar had merely to obey, and so did: yet, on November 10th, Colonel Strode wrote complaining that the troopers sent for his (Strode's) horses and arms were unfit and improper persons, and asking that his own servant, who had served the Parliament until 1648, should ride his horse. This would hardly recommend a man as 'well affected' under the Restoration, one would think! Colonel Strode also asked that he might be charged with one horse and not two. These, of course, were matters for the Deputy-Lieutenants to decide, and not for the Captain of a troop. It is noticeable that the relations indicated in this letter are very friendly. We do not find any bitterness or complaint that Colonel Strode's neighbours were anything but cordial to him.

The papers now fail, until April, 1661; but it was during this winter that Colonel Strode appeared before the Deputy-Lieutenants, and then had an opportunity of pleading for a

reduction in his proportion of horse. I may remark that Col. Strode made up the number of horses charged to him, by adding the horses charged to his sons, who had separate establishments elsewhere. He personally, was only to furnish two.

On April 22nd 1661, he wrote again to Colonel Helyar, who was now Sheriff, complaining that he was still overcharged, and that unfit persons were set to ride his horses, to his money loss, and that the arms he supplied were not returned. He also pleaded a protection order of the Duke of Ormond, but did not enclose it. To this Colonel Helyar replied the same day, that the two horses were charged, and the riders appointed in conformity with the Deputy-Lieutenants' orders, which he could not control; but that if they would order otherwise he would with pleasure carry it out. Colonel Strode however, as we shall see, persistently refused to conform, although he had from April to September in which to do so.

On September 6th, Colonel Strode received a note from Colonel Helyar requesting him to send in his two horses to Yeovil on Saturday the 7th, without fail. Instead of so doing, Colonel Strode sent one horse and man (as before) on the Saturday, first to Yeovil, and then to Colonel Helyar, stating that he had the Duke of Ormond's order that his own servants might ride his horses, and that he should not be charged more than others in the county in proportion. The order itself, however, was not enclosed. Colonel Helyar returned the letter, remarking that the rating was the Deputy-Lieutenants' affair not his, and that he must have trusty riders in his troop chosen by himself. The Servant then took the letter to Montacute, to Colonel Phelps a Deputy-Lieutenant, who was away, and left it with his son.

Colonel Strode having failed to send his two horses, the Sheriff acting for the peace of the county sent on Tuesday the 10th September, Cornet Higdon and thirty troopers, to

arrest Colonel Strode for disobeying the Deputy-Lieutenants' orders.

The little scene in the hall of Barrington on that September morning was dramatic. Colonel Strode produced the Duke's order which has not come down to us, unfortunately, but whose effect seems to have been as before stated. Whatever its purport, it was clearly intended to take effect through the Deputy-Lieutenants, and could not justify resistance to a Sheriff's warrant, nor did it avail Colonel Strode in his defence later on before the Privy Council. Higdon indignant at the delay, lays his hand on his sword ; yet nevertheless, Colonel Strode is informed of the Sheriff's warrant. The shrewd old man tries by a feint, to escape up the back staircase, but in vain. At this moment the door is thrown open, and nine or ten rough troopers burst into the picturesque old hall, clattering in their armour and rudely disturbing the ancient calm of the place. Colonel Strode surrendered. He was taken on horseback to Ilchester (six miles), and confined in the George Inn. On the 12th he was removed to Somerton (two miles), and appeared before the Deputy-Lieutenants.

Colonel Helyar's complaint against Colonel Strode was that he refused to send two horses. Colonel Strode's pleading on the whole case will be found in his "Narrative," which, with Colonel Helyar's "Reply" are subjoined. The styles of the two letters are strongly contrasted. Colonel Helyar writes like a plain soldier—directly, briefly, and to the point. Colonel Strode writes like a lawyer—at much greater length, and with much ingenuity. His complaint was in brief, that he was over-rated, and also that had Colonel Helyar personally commanded him, he would have sent two horses. He also further complained of the non-return of arms. On this Colonel Helyar remarks that if Colonel Strode refused to obey the Deputy-Lieutenants, it was not for him the Captain of a troop to give him separate orders ; and further, that Colonel Strode had been summoned eight times to send the

horses, in vain. Some animated remarks at the meeting, on Colonel Strode's religious and political views followed, including an amusing comment on Colonel Strode's owning a 'fat parsonage,' although a Presbyterian. Colonel Strode petitioned the Deputy-Lieutenants to be allowed to retire to Barrington on bail'; but the Deputy-Lieutenants issued two orders, after deliberation. The first, signed by five of their number to Colonel Helyar the High Sheriff, and E. Phelps junior Esq. to call Colonel Strode before them, and charge him with receiving moneys for drums and colours for the foot regiments, which were however not supplied, and to report thereon to the Deputy-Lieutenants. The second, signed by seven Deputy-Lieutenants (viz. Sir Hugh Smyth K.B.; Sir Thos. Brydges Kt.; Sir Wm. Wyndham Kt.; Francis Luttrell Esq.; Colonel E. Phelps; William Walrond Esq.; and George Horner Esq.), was a warrant to arrest and detain Colonel William Strode and John Pyne Esq., for disaffection and contempt of authority. Both are dated September 12th. Colonel Strode was thereupon remoyed to Ilchester again, and confined in the George Inn. Mr. Francis Windham, writing on September 12th, remarks on Colonel Strode's "vain behaviour" before the Deputy Lieutenants, and his "slighting the King's prerogative." On September 13th, Col. Maurice Berkeley sends strict orders to his subaltern Colonel Helyar (having this case, no doubt in view), to fill up his troop with trusty persons, to find able horse and good arms, and to watch and secure disaffected persons. On the 14th, Colonel Strode wrote at length two letters to Sir George Lane, stating his case in full, asking his good offices and enclosing a petition to the Duke of Ormond for release on bail, and a hearing by the Privy Council.

The case was now to pass from the Deputy-Lieutenants of Somerset to a higher tribunal. On September 18th, the Duke of Ormond wrote to the Deputy-Lieutenants, instructing them to keep Mr. Pyne in gaol until his Majesty's pleasure should

be signified regarding him, but to release Colonel Strode on a bond to appear before the Privy Council within ten days of signing the bond, and answer for his conduct. The bond was signed on September 27th, and the proceedings continued for some months before the Privy Council. However, at last on January 10th 1661-2, Colonel Strode finally appeared before the Privy Council, King Charles presiding in person, and there in the presence of the County Members and such Deputy-Lieutenants as were in London, made his humble submission and promise of good behaviour and obedience, which was accepted by the King, and he was released. The Registers of the Privy Council do not say if he made submission on his knees, or no; but Mr. Green considers that it was so. Sir Thos. Bridge's remark to Colonel Strode on September 12th, seems to convey the gist of the case, viz., "that he was ill advised he did not send in his horses."

This short summary may give an idea of an incident characteristic of the times, and which throws some side lights on county proceedings under the Restoration. Those who care for more detail will find it in the annexed papers.

STRODE PAPERS AT COKER COURT.

1. *Lord Paulett and Colonel E. Phelipps to Colonel Helyar. Som'sett.*

Whereas we have received special directions from the King's Mātie for the speedy rayseinge and setlinge all the trained fforces both of horse and foote w^thin this County. Theis are therefore to authorize and require you forthw^th according to yo^r commission as Captaine of one Troope of horse gr̄nted unto you from William Marquesse of Hartford now Duke of Somersett Lord Liuetent^t of this County for the speedy compleatinge the said Troope to suīon these p̄sons underwritten to send in their proporcons of horse respectively well furnished w^th back brest and headpeace swordes Pistolls

and all other furniture thereunto belonginge and that you chuse able and well affected men to ride in your said Troope and this you are not to faile of doeinge wth all convenient speed as you tender his Ma^{ties} service. In witness whereof we have hereunto sett or handes and Seales the Sixteenth day of October in the Twelfth yeare of the Raigne of or Soveraigne Lord Kinge Charles the Second.

POULETT O Seal: Poulett Arms.

E. PHELIPPS O Seal: Phelps Arms.

Oct. 16th, 1660.

November 10th, 1660.

2. *Mr. Strode to Colonel Helyar.*

S^r,—I thanke you for your^r curteous answer & accordingly have sent you a good horse well armed, (yet if had some more tyme should have beene somewhat better) also a good ryder my serv^t. Jⁿ° Courtney that served the p^liam^t till (48) & afterwards S^r Charles lucas at Colchester, and hath pretty judgmt in orderinge a squadron. I pray remember mee when yo^u meete the deputie liftenants to take off the other for I have one sonne charged in Whitley with a horse, what the other in Whitstone is I knowe not, but is like wilbee noe less, thoughe over much for us, but theire meetinge nowe may be uncersteyne, seeinge or Lord Liftent^t is dead, and heerfore unusuall to act, without newe Com^{ons}

S^r,—Tuesday last came unto me one Burridge & one Thomas Hicks under the name of Tristram Hicks, for my horses and armes p^rtendinge it by yo^r order, I told them if soe it was because yo^u knewe them not, but I knewe them too well to suffer them to ryde any horse of myne, & if they were soe well known to you, suche fellowes would not bee listed in yo^r troope; I hope all divisions are better semented by our Soveraigne, then that any p^rson should bee dismounted wthout just cause, and unworthy p^sons sett in theire saddles; which I only touche as one that desires to approve himselfe.

S^r

yo^r very Humble servant

WILL^M STRODE.

To my Hon^{red} freind Collonell William Helyar p^sent theis (with m service).

Barrington
x^o 9bris '660.

3. *Mr. Strode to Colonel Helyar.*

Hon^d Sr.—This morninge about 8 o'clocke one Burrage sent mee yo^r somons to deliver my two horses compleatly armed wth 4 dayes pay to the sayd Burrage & one Hicks, who in the last service soe abused my two horses y^t cost mee 33^{li} that when they brought them home were not worth anythinge but for doggs meate; & nowe after much cost to recover them, noe man will give 20 nobles for them both, yet beinge allwayes reddy to serve his Mātie to my uttermost, especially in this happy solemnization. I demanded of Burrage my armes and horse furniture, which he hath ev' since deteyned from mee, to wayte on you wth this service and would have sent yo^u my best horse, but he sayd he must and would keepe them, the like did Hicks the other ryder soe that I am utterly destitute of armes, and till my Lord Duke hath determined it I am very unwillinge to buy more, because I fynde the Deput: Liftenants' order will not be obeyd by those yt tooke away my other armes, for I believe you are not ignorant of his Grace's first order and phapps not of his last, therefore I send yo^u this messenger to knowe yo^r pleasure, whether I shall send yo^u tomorrowwe one horse which in equalitie is the highest rate, vidz. 1 heere, 1 at Street and 1 at Downside, never formly charged but wth two horses the whole estate (nowe injoyed the much greater part by my two sonnes) wth our owne servants for ryders w^{ch} is the Duke's order as this bearer if please yo^u will shew yo^u; Sr I am much trobled to bee made a man of Contentions amongst my owne Country men, to whom I nev^d did the least Injury, beinge very contrary to my disposition, y^t is altogether for quiett & pr^servation of all lovinge respects to all men in theire respective places, but what yo^r pleasure is to co^mand, I shall comply wth all that is in my power & remayne

Sr

Barrington,
April 22, 1661.

yo^r most humble servant

WILL. STRODE

To the Right Worl^l William Helyar
Esq^r High Sherife of Som'sett
Present these with my service

4. *Col. Helyar to Mr. Strode.*

[*On verso.*—A copy of Coll. Strode's letter, April 22, 1661] *i.e.*, letter to Coll. Strode.

Sr,—I doe not assume the power to comptroll the Order

I have from y^e Deputy Lieut^{ns} for two horses neither can I accept of any other instructions for y^e alteringe y^e riders without theire warr^{tie} but if at any time they shall thincke it fitt to give me new Commands, and but for one horse, & your owne servante to ride him yo^u shall finde me as ready to be as to subscribe me

Sr

East Coker,
22nd April, 1661.

yo^r most humble servant,

WILL. HELYAR.

5. *Sir Hugh Smyth and Four other Dep.-Lieutenants to Col. Helyar and Mr. Ed. Phelipps (afterwards Sir E. Phelipps).*

Somsett.

Whereas the regiments of foote within the County be wholely defective in drumes and Coullers, and forasmuch as it appeareth unto us, that of late there were by the direction and appoymt^t of Mr Will^m Stroude of Barrington & others, divers monies raysed upon that very accompt of raysinge drumes and Coullers for the Militia; w^{ch} monies rest yett in the Constables' or Collectors' hands, or the hand of the said Mr Stroud: And forasmuch as theire ar such monies raised, And that the Country may not be abused and another tax imposed on them for a service, which they have alreddy paid: Wee pray and require you to call the said Mr Stroud before you, And such other persons alsoe as cann charge him wth the receipt of any of the said monies, And by yo^r best inquiry to informe yo^r selves how the said monies are disposed of, & in whose hands any thereof doth yett remayne: That upon yo^r information wee may take Course that the defaults may be supplied accordingly. Given under o^r hands the xijth day of September Anno dñi 1661.

HUGH SMYTH

THO. BRIDGES

FFRAN LUTTREL

WILL WYNDHAM

E. PHELIIPPS

(i.e. Col. Phelipps)

To Our very Worthy Friends Will^m
Hellier Esq^r High Sheriffe of
the sd County (of Som'sett) and
Edward Phelipps the younger Esq.
These

6. *Warrant to arrest John Pyne and Willm. Stroude.*
(Mittimus.)

Somersett.

Whereas John Pyne and Will^m Stroude Esq^s as persons disaffected to the present Government and such as stande in contempt of the p^{re}sent authority are convened before us and p^{re}tely by p^{re}fe and p^{re}tely by confession have acknowledged and confessed the same. And theire practise & example being found & to be of dangerous consequence if they are not for the present secured: These are therefore in his Ma^{tie}'s name to will and require you that you take into yo^r custody the bodies of any of them the s^d John Pyne & Will^m Stroude & them safly to detayne & keep till yo^u receive order for theire enlargement frō the L^d Liuetenant of this County or from us. Hereof yo^u are not to fayle att &c. Given under o^r hands and seales the xijth day of September Anno dñj 1661

To the Hige Sheriffe
 of the County afore-
 said these & for his
 Ma^{tie}'s service.

	(Seals)
HUGH SMYTH	○ Smyth Arms.
THO. BRIDGES	○ Bridges Crest.
WILL WYNDHAM	○ Wyndham Arms.
FFRAN LUTTRELL	○ Luttrell Arms.
E. PHELIPS	○ Phelips Arms.
WILLIAM WALROND	○ Walrond Arms.
GEO. HORNER	○ Horner Crest.

7. *Franc. Wyndham to Col. Helyar.*

Noble Cousin,—I thought fitt to send you here inclosed what I received this day from my brother concerning Stroode which if you please you may communicate to Ned Phelipps. That which I writt to my Brother concerning Strood was: his vain behaviour before the Debuty Lieutenants, his slighting the King's prerogative, with his owning himself a Presbiterian. About the latter end of next week I intend my iourney towards London where, if in anything I may be serviceable unto you be pleased to command

y^r affectionate Cousin and Servant

FFRA WYNDHAM

Saturday the 12th.

Be pleased S^r in this to receive mine and my wives service to you and y^r Lady.

To my honoured Cousin William Helliar Esq^{re}
High Sheriff of the County of Somerett at
his Coker.

8. *Col. Maurice Berkeley to Col. Helyar.*

Sept. 13, 1661.

S^r—I yesterday received an Order from the Deputy Leutinentans of this County of So^msett declaring they have received Lett^rs from his Grace the Lord Duke of Ormond our Lo. Leutinent with a Copy of Letters and instruccōns from the Lords of his Mat^y's most Ho^{ble} Privy Councill for the setting Ordering and exercising of the same Horse in Order to the pr^servation of his Mat^y's person, according to the late Act of Parliam^t, the suppressing of disorderly tumults and insurrections and the prevention of ffrequent and unlawfull meetings and complottings of p^ssons of dangerous principles whoe by dispersing of seditious Pamphletts dayly endeavour to prepare and envite people's mindes to new troubles. These are therefore to pray and require yo^u that yo^u speedily compleate and furnish the Troop of Horse under your co^mand in my Regem^t with able and sufficient soouldiers approved for their loyalty and fidelity, And that yo^u cause them to be provided with able Horse, and to be arrayed with good Armes, and that they may be readie upon warning as occasion shall require theire service, And that yo^u have a watchfull eye upon knowne and notoriously disaffected p^ssons, And upon iust grounds to disarne them and secure their p^rsons. And alsoe that you put in execution y^e Statute made in y^e 4th and 5th yeares of King Phillip and Queen Mary against such as shall refuse to appeare att y^e Musters contrary to y^e forme of that Statute, of all which nothing doubting of yo^r circumspection and care I bid you hartyly farewell & rest

yo^r humble servant

MAU. BERKELEY.

Brewton,
this 13th of September 1661.

To my hon^d friend Wll^m Hellier Esq^{re}
High Sheriffe of this County Att
Coker This p'sent.

9. *Mr. Strode's letter and petition to the Duke of Ormonde.*

Right Hon^{ble},—It very much troubles me to give Your Grace these new troubles but his Mat^{re}s service in these partes, Your Honour's interest, the right of the subiect of England according to the petition of Right and the desires of my owne freedome, that I might be in a capacity to wayt on your lo^{pp}e and free myself of the unreasonaable practises of unreasonable men; for though this be mine and my Auncestors native Countreye and my whole estates lyes in it, I shall never willingly returne unto it except it be by Your Grace's commands.

My Lord, the Irregularitye & oppressions of my imprisonment is scarce imaginable to be practised wthout any cause at all given; 'tis pretended I sent not in my horses according to theire order & that my refusall made others doe the like, I shall make it appeare to your honour that I did not refuse it, but was more forward than any man, & did encourage others to the service effectually & that the fault was wholly Capt. Helyar's who (as it will appeare) builds on broaken testimonyes of unworthy men, and only that are interested in the accusation, I know nothing else except for this one word, being asked whether I was a Presbyterian I answered I could not denye it, as having been soe ever since I knew what religion was.

I beseech Your Grace for a effectuall order to release me, and be pleased to assigne a time in the next terme to take cognisance of the Case—either by Your Honour alone or wth others of his Mat^{re}s Counsell that right may be done to all partyes wherein Your lo^{pp}e shall for ever oblige

My Lord

Your Grace's

Most devoted and most humble servant

WILL. STRODE.

From my prison in Ivelchester
the 14th of September, 1661.

9a. *Petition to the Duke of Ormond annexed to the foregoing letter.*

To The Right Hon^{ble} James Duke of Ormond lord liuetenant of Somersett.

The humble petition of Will Strode of Barrington Esq^{re}
Humbly sheweth

That Tewesday the 10th of this instant Sept., your petitioner's person was violently seased and taken prisoner in his own house by Richard Higdon Cornett and his complices and carryed away & kept prisoner still in Ilchester (for no cause imaginable to your Petitioner) contrary to his Matye's orders, your lo^{pp}e's commands, & the peace, Government & lawes of this Kingdome and yet noe Bayle nor Securitye wilbe accepted to release him.

Your Petitioner humbly prayes that your Grace will give an effectuall meanes for your petitioners present releasement upon what Securitye you shall thinke fitte, and that your lo^{pp}e will appoint a day some time, in the next term, to heare this cause & that those persons that have been Actors in this wrong may be summoned to appear and make theire defence.

And he shall pray &c.

(*On verso.*)—“Mr Stroode's Lre & Petition
unto the Duke of Ormonde” (1661).

10. Mr. Stroode's Letter to Sir G. Lane.

Hon^d Sr,—Your ould obliged Client is agayne brought unto you upon a busines yt Lies heavy on him & yett cann Conceave nor Imagine any cause for It but malice and Envye w^{ch} y^e Cornett by the Captayns meanes Joyntly made practice of; by the Little order w^{ch} my Lord Duke touched in his last Le^{rs} y^t they might doe what they thought fittinge to preserve the safeteye of his Maties person and the peace of the Cuntry, for they intimat that it is conceaved about that ther ar many close Conspirators. I conceave our County at Least in these p^{rs} to be very clear only Annabaptists & Quakers, whose principles are daringe in any thing, but ther numbers are not considerable yet a people y^t must be carefully Lookt after, but as for to my busines for its not Imaginable that any rationalle man could prudently take any Hint by surmise against a speciall Comand of my Lord Duke, in briefe my case is this, one tuesday the 10th Rich Higdon Cornett &c to Captaine Heliar (y^t is nowe o^r sherife) enters my house armed wth above 30 troop's seases my p^{son}, carries me away prisoner and must not knowe whether till I cam ther despises my Lord's orders and

þtection, soe did ther Captayne, but the Cornett & some sixe of his troop's did soe slight it both in words and gestures y^t I was ashamed to see it, but I remit this to matter of fact w^{ch} my sonne will shewe you and informe you of all things, who was þsonly present at all the passages I thinke and whatsoever ther is in the relation of fact shalbe made good by sufficient testimonies and whatsoever they pretend that I refused to send in my horses is very false and ther testes are but y^e soldiers and Cornett y^t did the wronge beinge these also that wer guiltie in my last wronge and most unworthy baggage wretched people, ther names are heer under my desires are for my present inlargement by an effectuall order of his grace directed to Captyne Heliar, Liftenant Pheleps and þvost marshal Hopkings or any þson in whose custedaye I shalbe, to be done at sight upon what security my Lord or you shall thinke fitt, & to be done wthout payinge fees for this business will appeare to be contrived by themselfes, also that my Lord will appoyn a day to heare me some tyme the next tearme and then you shall see the malice, yet I desire you add in the order y^t our own servants ryde our owne horses and not base fellowes y^t spoyle our horses w^{ch} is geñally done though most gentlemen send ther owne servants nowe, but Captyne Heliar will not þmitt myne though 'tis knownen I have lost £50 by them alreddy besides they deteyne my saddles & armes or hath sold what was delivered them w^{ch} if my Lord please to give me leave I shall seeke my remedy at Lawe Sr I shall refer y^e rest to the relation of my sonne the bearer hereof whom I pray assist & direct in all fer 'tis a hard matter to lye in alehouses soe longe wher nowe I am only have been carried about in tryumph 3 dayes and made a spectacle of scorne, besides my loss in reputation w^{ch} men take advantage of alreddy to my great prejudise: Sr I cordiall remayne: yo^r affectionet & humble serv^t

WLL. STRODE.

The Actors:—

RICH HIGDON Cornett
 THOMAS HICKS troop,
 WILLIAM ELLIOT troop,
 JOHN BURRAGE troop,
 TRISTRAM HICKS troop.
 to bee suspended from acting
 in the militia till there cause be
 heard.

7bris 14th 1661 in Ilchester in my
 prison house

(On verso: Copy of Mr Strodes
 Lere to Sr George Lane).

12. *Mr. Strode's narrative.*

The Matter of Fact.

Fryday the 6th of 7^{bris} Mr Strode of Barrington sent to Mr Philips Lieut^t of Horse to Capt. Helyar now Sheriffe of the County, to desire him that hee would cause Burrage & Hix 2 sooldiers of his squadron that had formerly spoyled 2 horses of Mr Strode's to returne the Armes Mr Strode delivered them wth the s^d horses, for hee did suppose there would bee Mustere shortly for w^{ch} hee would bee provided in time. His answere was that twas not in his power to cause them to deliver the armes but in the deputy lieutenants who did meet shortly, of w^{ch} time Mr Strode should know, by a note hee would send him.

That very night betweene 8 & 9 of the Clock when Mr Strode was in bed there was a Note brought him from Capt. Helyar wthout any date in these words. In order to the preservacon of the peace of this county you are desired to send in the 2 horses compleatly armed unto the signe of the Angell in Yeavill by 10 of the clock in the moringe on Saturday nexte there to expect further Order whereof you are desired not to fayle by Sr

To Will. Strode of Barrington
These for His Matie's service.

y^r servant

WILL. HELYAR

Whereupon the next moringe early accordinge to the precept Mr Strode sent one horse and his Letter that followeth by his servant.

Hon^{red} Sr,—Last night I received a tickett from you after I was in bed to send to the Angell at Yeavill 2 trayne horses armed by ten of the Clock in the moringe next Saterday, w^{ch} I suppose is this day therefore to give you all the satisfaction I can, make bold to trouble you wth these lines to signifie unto you my L^d Duke of Ormond's Order as concerning this of trayne horses w^{ch} I could not but imagine the deputie Lieut^{ts} had acquainted you with being given in the presence of most of them & was as to me & my sonne that our owne Servants should ride our owne horses, freeinge themselves from all iust exception by takinge the usuall Oathes, & that wee should be p^{ro}portionably rated as other gen^{tn} of the like quality and estate, & some of the deputie Lieut^{ts} have thought that one horse here, one at Street & $\frac{1}{2}$ a horse at Downside would be very reasonable, I am sure Sir more then our estates when 'twas much better were charged with, but it

seems there is yet nothing determined in the case, by any publike meetinge of those gentⁿ, therefore my humble request is that you will accept of one horse hence untill the sayd meetinge, w^{ch} yo^r Lieut and Mr^r Phelips promised I should have notice of this day, and also that you would give notice to Burrage & Hixe to return mee the Armes & furniture delivered them, or desire you to give me leave to take my remedy at Law wth them, & what you shall order either one horse or if you cannot excuse the other untill the meetinge, if you Comand both they shall bee ready by the bearer furnished and appointed to y^r good satisfaction, only if Burrage & Hixe returne not my armes that you will allow me 3 or 4 at most to provide that w^{ch} shall be sufficient, and not doubtinge of a faire and friendly returne from you doe take leave and remaine

y^r humble servant and neighbour

WILL. STRODE

Barrington 7^{ber} 7th 1661.

Mr Strode's man was at Yeavill before ii of the clock that morninge and found only the Cornett Higdon & 3 or 4 troopers more & demandinge where the Captaine was they told him at his owne Howse at Coker, whither Mr Strode's man went and carryed the horse & delivered the Letter to Capt. Helyar who at first would not receive it but threw it to him againe. Yet after much intreaty he tooke it opened it and read it & and told the messenger that he had nothing to doe in ratinge Mr Strode nor in causinge the souldiers that had spoyled his horses to deliver him back his armes for Mr Strode's servants should ride his own horses but bid him carry the Letter to the Deputie Lieut^{ts} hee asked him where they mett and when he might deliver it, the Captaine answered hee knew not, he must find out that himselfe, then the messenger demanded where hee might not carry it to Mr Philips one of the Deputie Lieut^{ts} hee told him hee might if hee would ; but for his part hee would not admitt of any servants of Mr Strode's to ride his horses because he would have men that hee knew to ride with him & those that rode them formerly and therefore would returne Mr Strode for a contempt & bid him begon wth his Letter and his horse, where upon hee went to Montacute to Mr Philips, hee was not at home & therefore left the Letter wth his sonne, & soe returned to his Mr^r, Mr Strode at Barrington who heard noe more of this businesse untill Tuesday morninge when Cornett Higdon wth 30 or 40 troopers came to Barrington howse and entred the hall armed, sent

for Mr Strode seised upon him in his hall, told him he was his prisoner, asked him why hee sent not his horses Mr Strode answered that he had sent his horse to Captain Helyar, & promised him the other, whensoever hee would command him of w^{ch} hee had yet noe Order the Cornett told him that concerned him not, hee must carry him away prisoner alive or dead. Mr Strode asked him by what warrant, hee layd his hand on his sword and sayd, this is my warrant but had another warrant w^{ch} hee would not show but said it was from the Kg, then sayd Mr Strode—I will obey—but was not able to ride & is very old & weake but desired to know whither he should go. Higdon told him he should know that when he came thither one of the troopers that held Mr Strode s^d that it was Capt. Helyar's warrant & that hee must be carryed to the Deputie Lieut^s who would be at Somerton Thursday next whereat Higdon ranted & told him you shall now goe with me to the place & I will carry you & I will dye rather than leave you behinde, Mr Strode asked whether a better authority than Captain Helyar's would be allowed by him to stay Mr Strode at home Higdon answered though he had any such authority from the Kinge he would not obey it. Mr Strode told him he had none from his Ma^{tie} but from one that was very nere him the Duke of Ormond, Higdon said he reguarded not that, nor should not serve his turne for hee accounted it nothinge to his authority, Mr Strode told him notwithstandinge hee would show it him & read it & pulled out of his pockett 2 papers one an order under the Duke's hand that Mr Strode's servants should ride his horses, another w^{ch} was a protection for Mr Strode's person family & goods from any Militia officers and that hee be not disturbed in his howse by any of them wth other thinges concerningge Mr Strode his sonne & family, all the while these thinges were readinge Higdon walked up & down the Hall making a bussell & saying he would not obey these orders and accounted them of noe value all his authority was by his side, & he would have Mr Strode away alive or dead, havinge better authority then Mr Strode could shew any, then told him that hee must goe to horse forthwith, Mr Strode answered hee would not resist, but desired he might have time to make him selfe ready, Higdon told him it must be there in the Hall for he must not goe out of his sight w^{ch} Mr Strode must accept, and sent for his bootes and other thinges, whereupon Higdon went forth & brought in 9 or 10 troopers wth an officer commanding them to have Mr Strode away as soone as hee was ready to the place hee had appointed for hee had other businesse & must

bee gone about it & soe went away. That day the s^d troopers carryed Mr Strode to Ivillchester six miles from this howse, a weary some Journey for him and there placed him in an Inne called the George and made it his prison very nere the Comon Gaole, & told him hee must goe to Somton to the Deputie Lieut^{ts} the next day. Mr Strode desired to goe that eveninge beinge about 2 miles the Troopers would not saying they had noe Orders, that Eveninge Mr Philips Lieut. to Capt. Helyar came to Mr Strode, who complayned to him how hee was dealt wthall, the Lieut^t told him hee knew nothinge of it but it might bee by some Speciall Order w^{ch} his Captayne had & that there were other Gentⁿ in the same case and soe after a little complemt parted & left Mr Strode under his guard the s^d 9 or 10 Troopers: next day about noone Capt. Helyar came to Mr Strode & told him that the deputie Lieut^{ts} had much businesse that day, & therefore would have Mr Strode for his accommodaⁿon to come the next morninge w^{ch} it seems he did not intend because he sent not for him but Mr Strode in the morninge went to Somton with the guard that was left upon him & as soon as he came sent to Capt. Helyar to give him notice, & to desire hee might bee heard before the deputie Lieut^{ts} but the Captain sett new guards upon him, & sent word that hee should heare from him shortly: Mr Strode made some meanes² to Sir Thos. Bridges who came to him after dinner, & told him hee heard of noe complaynt against him Mr Strode desired him hee would heare his complaynt for his wrong imprisonment, & takinge away his liberty and reputaⁿon ag^t the petiⁿon of right, hee promised hee should bee heard, about 2 howres after hee was sent for, hee came before them, they told him there was a complaint made by Capt. Helyar that hee had refused to send in his horses to the hindring the service, & that other men by his example kept back theire horses, Mr Strode answered that hee had sent one horse and that his sonne had sent one more to another Troope & that if Captain Helyar would have commanded hee might have had him the day before hee was taken prisoner as the Capt. if hee pleased might shew them by letter which Mr Strode writt him, he acknowledged to have received the letter but excused the shewing it & brought Higdon Burrage & Hixe parties interested to prove hee refused whereupon Mr Strode shewed the Copy of the Letters to the deputie Lieutenants which Sir Thos. Bridges perused to himselfe & gave it him again, when he thought that businesse satisfied and

² Signs, signals.

desired the deputie Lieutenants that they would now conform to the Lord Duke's Order and settle what horses hee and his sonne should send, w^{ch} was opposed by some at the board though not deputie Lieut^{ts} & said that M^r Strode who was a presbyterian & therefore did not approve of the kinge and church Government. M^r Strode said that indeed hee was a presbyter & ever was soe since he knew what religion was but was wthall as good a subject & much rejoicing in His Ma^{tie}'s Government as any man whatsoever profession he made or pretended to, M^r Strode was asked whither hee had taken the Oath of Allegiance hee told them yes, many times & supremacy also yea his tenants and servants had taken it one Co^r above hundreds, M^r Strode desired reparacion for his imprisonment according to the peticon of right & Duke of Ormond's protection w^{ch} hee there shewed, and desired it might bee publickely read, w^{ch} was soe by one of the Clarkes only the Title was forbidden for brevitie sake belike & for the body of it it seems there was not much consideracion taken, M^r Strode would have pressed it more his Unhansome imprisonment but hee was bid withdrawe & indeed twas time for hee was very weary and weake & soe his guards with Hicks and Burrage tooke him to his Chamber where he had not rested an hower but that he was informed by a friend that all the consideracion that was taken of his businesse was dispatching a Warr^t to make a provost Martiall an office never heard of in this County in time of peace and in time of Warr used to be made by the Generall. M^r Strode supposing this was a designe purposely against him & perhaps some others went to the Deputie Lieutenants againe who were risen & scattered in the room & could speake but wth one at a time, hee told them that hee was very weake & indisposed & desired hee might go to his owne howse and if there was anythinge against him hee would give bayle or what security they would, They bid him goe wth all their hearts, M^r Strode tellinge Capt. Helyar the same & Sir Thos. Bridges also, the Capt. broke forth and said in Choller, Yue shall not goe to your howse and taking up a paper s^d Here is warr^t to carry you to Gaole, w^{ch} M^r Strode supposed twas the warr^t for the provost Martiall to take him into Custody, Sir Thos. Bridges made noe answere but that the businesse was over, & M^r Strode's weakness forced him to his Chamber, his Guards attendinge him where he went to his bed and was very ill all that night & much the worse for the great disturbance of the guards set upon him, the next morning hee was not able to rise hee sent a peticon by his sonne to the deputie Lieut^{ts} as followeth

To The Hon^{ble} Gentⁿ Sir Hugh Smyth Kt of the Bath
 Sir Thos Bridges Kt Sir W^m Windham Kt, Francis
 Luttrell Esq^{re} Deputie Lieut^{ts} of Somsett or any of
 them, The humble peticon of Wiff Strode of Barrin-
 gton Esq^{re}, now y^r prisoner

Humbly sheweth,

That whereas hee is informed you are pleased to continue
 his restraint under guards, hee humbly prayeth in reguard of
 his old age 72 years, & his other infirmities & constant course
 in a physicall dyett w^{ch} wth quiett and rest very much comforts
 him that you would be pleased to grant him his owne house at
 Barrington for prison wthout guards & take what personall
 securitie you shall thinke fitt for continuinge a true prisoner
 whensoever you shall comand him

& shall ever pray &c

This petition was delīed to Sir Thos Bridges & read by
 him in the presence of Sir W^m Windham, Sir Hugh Smyth
 & Capt. Helyar & M^r Strode's son was called in & had his
 answere from Sir Thos. Bridges that hee was sorry that hee
 had not the peticon before that they had sent a Letter to the
 Duke to let him know M^r Strode was a prisoner to the Sheriffe
 & that in the meantime the Sheriffe should accomodate him
 wth that w^{ch} fittinge for him, that his best way was to send to
 the Duke about it & that hee was ill advised hee did not send
 in his horses. About 10 oclocke M^r Strode was commanded
 to horse, & to goe in Capt. Helyar's troope to Ivilchester &
 beinge ready they marched & Capt. Helyar told him upon the
 way that hee should choose his prison in Ivilchester and have
 what liberty hee would, M^r Strode told him hee would take
 no place but what was assigned him, & if he pleased to
 assigne him noe other hee would goe to the George where he
 placed him before, the Sheriffe bid him goe into Towne before
 with his servants and when hee came to the Towne he would
 come to him M^r Strode & at the Towne's end Higdon that
 stayed comanded him to march in the Middle of the Troope,
 when hee came to the Towne beinge very weary hee alighted
 at his prison dore, Higdon would have made him goe to horse
 againe but M^r Strode was not able, yet he made him goe on
 foot to the Market place as a Trophy of his Victory & there
 stayed till Capt. Helyar came who went with him to his
 Chamber and told him hee would send his p̄vost m̄tiall only to
 aske him how hee did and soe to leave him, in a day or two
 he might goe to his owne house at Barrington & soe Courte-

ously tooke his leave. As soone as the Captaine was gone out of towne one Thos. Hopkins came & told that hee was come to take charge of him as his prisoner beinge p̄vost martiall & having a warr^t for that purpose but not expressinge any cause of comitment the m̄tiall protests great Curtesie, Mr Strode told him hee was very old & infirme & desired him on security to be a true prisoner, hee might goe to his owne howse w^{ch} the p̄vost martiall would not doe for he had strickt orders to the contrary from Capt. Helyar, but hee should have the liberty of the Towne giving sufficient men to engage for him to bee a true prisoner and one of the m̄tiall's men to wayt on him, but noe person must come to him nor speake wth him but in the presence of his man & this is the condicōn Mr Strode remaines in.

At Ivvilchester 14th Sept., 1661, at
the signe of the George.

13. *Colonel Helyar's narrative (undated, but written after No. 12).*

By my Comission for Captaine of a Troope of Horse in the Traine I am Comanded to obey any precept unto me directed under the hands and Seales of two Deputie Lieutnantes.

I have a List of all those that are to sett out horses & Armes in my Troope sent mee by two Deputie Lieutts with their Comands under their hands & Seales to summon them to send in their horses &c wth Back Breast &c to Musters (& to choose able & well affected riders) by which list Mr Strode is to sett forth two horses &c

Hee has beene summoned 8 times yet never sent in his horses & armes & Complements.

That at our first muster we committed the Custody of every one's Armes unto the soldier that is to ride his horse.

That we choose such men as have horses of their owne that upon any suddaine businesse they may bee ready if time may not permitt them to fetch the Traine horses.

That having his Grace's Orders & the Councell's letter unto him, Communicated unto me at Hinton, & directions to call together my Troope imediately I sūmoned Mr Strowde ffryday morninge to send in his horses, but hee instead of his Conformity sends for his Armes; whereupon findinge my Lord Duke's Comission to' weake I sūmoned him the same day in writinge

by the K^g's Comⁱssion, the su^mons beeinge in order to the preserva^con of the peace of this County; next day hee sends in one horse wth his owne man w^{ch} I refused, havinge beene form^{ly} a rebell, and a letter wherein he says if I com^{and} another horse hee shall bee ready.

And am I not beholdinge to this gen^t that will doe it if I com^{and} when I see him disobedient both to his Grace's & his Ma^{tie}'s Comands.

Secondly comes in the Legend of his beeinge led into Captivitie which beeinge very tedious and untrue I shall briefly sum it up. Upon his Grace's instruction (which in Sir George Lane's Letter he calls his Grace's little Order) & upon his severall contempts it is thought fitt hee be secured, & I am desired to see it done & that he bee brought before the Deputie Lieutenants at theire meetinge at So^mton. I send my Cornett unto whom he pleads his Grace's order, the Cornett owes all reverence to my Lo^d's Orders, but supposes no Order of his Grace's tends to his Ma^{tie}'s disservice, and soe resolves to bring Mr Strowd away. Mr Strowd would have gone out of the Cornett's sight up the stairs, w^{ch} the Cornett refused to let him doe, because hee doubted hee should not have seen him againe; Mr Strowde havinge falsified his word with him once before, when he was sent to fetch him upon the like occasion: for w^{ch} the Cornett was chidd. Mr Strowd must march and to Ivelchester hee comes, and is lodged in the best Inne in Towne, and six men to wayt on him; next day I come to see him, and tell him he'll finde ill accomoda^con in So^mton, in reguard of the many gent & Souldiers that will bee there, and therefore advised him to lodg where hee was & to come to So^mton the next day, I left but one souldier to wayt on him: and in his narrative hee pays mee well for my kindnesse. Next day early to So^mton hee comes with his one souldier attendinge on him & noe more; at the leisure of the Deputie Lieut^{ts} he was called in and asked the reason of his contempts. Hee insists upon his readinesse to sett out his horses, & that the fault was wholly mine, for if I would have Com^{and}ed him I might have had them as his letter which hee wrote me would make to appeare, the receipt of which letter I did acknowledge hee says, but excused the shewinge it. And truely well I might, for hee confesseth that his man had the letter of mee & left it with Mr. Philips his sonne. Oportet mendaces esse memores. Considered wee him before the Deputie Lieut^{ts} & observe his Carryage—many reflections hee had upon mee and questionings of Authority and beeinge asked what hee thought of the

K^g's prerogative replied—that's noe law & contrary to the peticon of right that he should bee fetched out of his house & presently upon wthout the least provocacon vaunted himselfe a Presbyterian and that the K^g was soe too; at w^{ch} words of his beinge moved with a Loyall Indignation I made him a short reply & told him hee had chosen a very proffitable religion that could dispense him the holdinge yet the mannor of Huish from the Bishop & another fatt parsonage from that church, and that I conceived for the words hee had disgorged there I might iustifie the deteyninge him, wthout any further Order from the deputie Lieut^{ts}. This the gent^t pleases to phrase my Choller. But the gent^t beinge wthdrawne is a little better advised & exhibits a peticon which would not doe, but stands committed to mee by a Mittimus under the hands & Seales of Seaven Deputie Lieut^{ts}. In favour of him I appoint one M^r Hopkins to wayt on him as his keeper. Or else I must have sent him to my Goaler, of whome he says in the Conclusion of his narrative that no man must come to him or speake with him but in the presence of M^r Hopkin's man, and that by strickt order from the Captaine. M^r Strowde in my hearinge & divers others when I took his bayle said of M^r Hopkins that hee had not seen him in a week before; and M^r Hopkins keepes noe man. This passage and that about my showinge the Letter are too grosse.

All his other impertinencies in his severall dialogues, & about the spoylinge his horses, & wretchednesse of the riders wee can disprove, and make it appeare that M^r Strode is the most dangerous false person to the Kinge in this County, & if it may be thought fitt that any persons appear to Iustifie anythinge that is alleged against him. It is desired that it may bee at such time as the parl^{mt} next sits because divers of the deputie Lieut^{ts} and witnesses are parliment men.

Our further desire is that if wee convict him hee may beare our charges & that in case hee make not good his narrative his letter to S^r Geo: Lane and his peticon wee may have satisfaction from him for the severall imputacons he hath layd upon us & in p^ticular upon y^r Humble servant

WILL. HELYAR vñ

That upon M^r Strowde's Letter in April last hintinge his Grace's Order for his settinge forth but one horse I returned him answere, That if hee pleased to produce the Order to the deputie Lieutenants and they countermand theire former Order for 2 & Co^mand mee to su^mon him but for one horse only, he shall finde mee his servant.

14. Fragment of undated, unsigned letter from a Cousin of Mr. Pyne's.

Mr Strode since his comittment hath sent up his sonne to Sollicitte in his behalfe & pretends a very malicious prosecution against him reflecting most upon the Sherriffe and his Officers having petitioned the Duke of Or: to be heard havinge sent uppe a large narrative of all the proceedinges, upon w^{ch} he is ordered to be bayled & to be sent up wthin ten days to appeare before the lords of the Counsell after his release now to the end that those who are concernd may not be ignorant of his allegations I have sent you heare enclosed Coppy of all that he hath offerd to my lord that soe Mr Sheriffe may be prepared to answere his obiections & to make good a charge against him, w^{ch} you may be pleased to communicate to Ned Phelps wth my service to him. We have heare noe newes. I had almost forgotte to tell you that my Cousin Pyne is ordered to be comitted to the comon Gaole untill his Ma^{tie}'s further pleasure be signyed.

(*On verso.*)—My brother's letter concerning Stroode.

15. The Duke of Ormond to the Deputie Lieutenants.

[In corner].
Whitehall
The 18th of September 1661.

Sirs,—Your Joyst Letter of the 13th Instant I received the 18th and imediately thereupon Comunicated the same to his Ma^{tie} sitting in Councill where it was by his Ma^{tie}'s direc^tion read, and upon consideration had of the contents thereof I received his Ma^{tie}'s Comands to signifie his pleasure unto you, That you should give present order for the release of Mr William Stroude upon securtie first entred into by him personally to appeare before the Lordes of his Ma^{tie}'s privy Councill within tenn dayes time from the date of his said securtie, And that as to the other person mentioned in yours viz: Mr John Pyne yue should give order for his Comitment into the countie Goale, and to be continuued there a Prisoner untill his Ma^{tie} signifie his further pleasure concerning him. Upon your desire for adding two deputy Lieut^{ts} more for the ease of the Gentlemen of the Easterne Division of your countie I have given directions for two Comissions to be prepared for the two Gentlemen mentioned in yours of which if

you shall give them notice I suppose they will give directions to some they can entrust to receive them from Sr George Lane. I have not more at present to add but remayne

S^{rs}

your very loweinge friend
ORMOND.

I doe conceive it will be necessary that within the time limited for Mr Strouds appearance, you direct such officers or other persons to be heere in Towne as are able to make prooef of the charge against him to the end as occasion requires they may be produced as evidence in the case.

ffor Sir Hugh Smyth Knight of the Bath, Sir Thomas Bridges Knight, Sir Willam Windham Knight, William Walrond & ffrancis Luttrell Esquires deputy Lieut^{ts} of the countie of Somersett &c or to any One of Them to be comuni-cated to the rest.

[Across the side in another hand.]

Edmond Windham Esq^{re} at the White howse in the Pelmell nere St James's.
