

## Royalist Noblewomen and Family Fortunes during the Civil War and Commonwealth: the Survival Strategies of the Countess of Derby.

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‘It is certainly true that land pulled inexorably towards males,’ writes Amy Erickson, ‘but it spent a good deal of time in female hands along the way.’ Erickson’s seminal work on women and property in early modern England highlights the crucial role women played in the transmission and preservation of family property, and questions the reality of female *coverture*. It stresses the importance of marriage settlements and equity courts in allowing women to circumvent the doctrine of unity, which stipulated that upon marriage a woman lost all beneficiary interest in realty and had to share her legal interest with her husband.<sup>1</sup> Generalizations about improvements in the legal position of women during the early modern period have been rejected as overly optimistic by Sara Mendelson and Patricia Crawford. They argue that, on the contrary, common law superseded earlier customs that had been more favourable to women’s property rights, and that marriage settlements were often detrimental to widows’ rights.<sup>2</sup> While one may be sceptical about an actual improvement of the female situation in the seventeenth century, it seems unwise to dismiss ‘the modern distinction between the theory and practice of law’ out of hand.<sup>3</sup> Clearly, female experience was not shaped only by legal discourse, but also by its practical implementation, influenced by particular forms of property, by class-specific issues, and by the social construction of gender.<sup>4</sup>

Common law property arrangements could be circumvented by settlements and prenuptial agreements, but settlement documents alone do not provide enough evidence. One would like to know whether the bride’s portion was actually paid, and whether there were any additional postnuptial financial agreements. While it is true that patriarchy restricted female ownership to mere profit from capital, without full control over capital itself, or power to alienate capital,<sup>5</sup> gender competed with wealth and social rank in affecting a woman’s status, as Mendelson and Crawford themselves concede.<sup>6</sup> According to Barbara Harris, who analysed women’s property issues in Yorkist and Tudor times, ‘in *practice*, the aristocratic family’s function as an oppressive institution was balanced much of the time by the benefits its female members gained from their class position’.<sup>7</sup> Noblewomen could also brave the system by working their kin network, an essential cog in the wheels of early modern patronage society. Finally, they could take advantage of the contradictions and inconsistencies of patriarchal society, and create their own space within it.

There is as yet no in-depth study of property relations and their social and political consequences concerning seventeenth-century aristocratic women, although some progress has been made concerning women from the middle and upper gentry.<sup>8</sup> Studies of the Duchess of Newcastle tend to focus on her literary writings; examinations of Lady Clifford, Countess of Pembroke, on her architectural projects.<sup>9</sup> General works often relate the military feats of the Marchioness of Winchester (Basing House) and Countess of Arundel (Wardour Castle), and the political manoeuvres of the Countess of Carlisle, without further examination of their familial backgrounds.<sup>10</sup> Charlotte de La Trémoille, Countess of Derby, is mentioned in the same fashion, for her famous defence of Lathom Castle in 1644. Less known is her surrender of the Isle of Man in 1651, and her lengthy legal battle to recover her sequestered estates. As a French-born Huguenot, Lady Derby was hardly typical or representative of Royalist noblewomen, but her very idiosyncrasies point towards the diversity of noblewomen's conditions in early modern England in general, and during the Civil War period in particular. There was no such thing as a 'typical' aristocratic woman, and it is important for any future general study to be aware of all existing modes of behaviour.

Charlotte was born in 1599 as the eldest daughter of Claude de La Trémoille, Duke and Peer of France, supporter of King Henry IV, and leader of the Huguenot movement together with his brothers-in-law Condé and Bouillon. Charlotte's mother was Charlotte-Brabantine of Nassau, daughter of the Dutch Stadhouder William the Silent, and thus half-sister of his successors Philip-William, Maurice and Frederick-Henry, Princes of Orange. It was at The Hague, at the residence of her cousin, the Elector Palatine, that Charlotte met James Stanley, Lord Strange, and was given to him in marriage in 1626.

During the Civil War, Stanley family fortunes came not only under military attack,<sup>11</sup> but also under three distinct financial threats. Firstly, Lord Strange, seventh Earl of Derby since September 1642, gave military support to the King, which led to the confiscation of the family's estates; secondly, once he had been allowed to pay a fine (to compound) in order to recover possession of his lands, family income was jeopardized by exceptionally high composition fees; and thirdly, information of the Countess's own 'delinquency' threatened to lead to a re-sequestration of her estates. Concerning the military involvement of the Countess, the point has been made that the Earl's absence (his self-imposed exile on the Isle of Man in the late 1640s, and his execution in 1651) forced his wife to take action herself. Does this argument apply to her legal activities as well? Was female initiative limited to moments in time when the male support they depended on failed? Or, did the way property was transmitted by and settled on women encourage them to take responsibility for it?

The dowry brought by Charlotte de La Trémoille to the Stanley family in 1626 amounted to £24,000.<sup>12</sup> The Stanleys owned vast estates in Lancashire and Cheshire and considered

themselves virtual sovereign rulers of the Isle of Man, which provided them with a total annual income of £5,500.<sup>13</sup> Their French in-laws, the Ducs de La Trémoille, were in theory even wealthier. Their estates in Poitou and Brittany, though riddled with debts, yielded about 100,000 *livres tournois* (£10,000) per year.<sup>14</sup> For them, a dowry of £24,000 was not disproportionately high.<sup>15</sup> Charlotte's sister-in-law, Marie de La Tour, had a dowry of 300,000 *livres* and her nephew's wife, Emilie of Hesse-Cassel, brought 150,000 *livres* with her.<sup>16</sup> Charlotte's marriage contract, signed at The Hague on 4 July 1626, redefined the £24,000 (240,000 *livres en monnaie française*) as dowry (*dot*), but if one looks at the origins of that sum, it becomes obvious that it did in fact constitute Charlotte's personal estate.

In 1619, Charlotte had been awarded large landed estates from a *partage* of her father, the late Duc Claude de La Trémoille.<sup>17</sup> This inheritance she sold to her eldest brother Henri in April 1625 for 240,000 *livres* 'payable within twelve years'.<sup>18</sup> Initially, therefore, this capital constituted not her dowry, but her personal property, which she would keep after her marriage, either as a 'separate estate' or in joint ownership with her future husband. James Stanley agreed to accept the £24,000 as token 'dowry' on the condition that it was paid within a year. After some negotiations Charlotte's mother agreed to pawn her private pension from the Dutch States General in order to 'facilitate the marriage': Lord and Lady Strange were legally entitled to seize either this pension or any landed property owned by the La Trémoille, if the payment did not come through.<sup>19</sup>

However, the war that broke out between England and France in 1627 interrupted all transfers of money between the two countries,<sup>20</sup> and the deterioration of the land market made it very difficult for the La Trémoille to sell some estates in order to raise money for Charlotte's 'dowry'.<sup>21</sup> Charlotte complained several times that the first instalment of 20,000 *escus* (£6,000) was not forthcoming,<sup>22</sup> a fact that appears to have had a strong psychological effect on her. As a foreigner, she was not readily accepted as wife of the future Earl of Derby, and the failure of any material expectations made her additionally vulnerable to criticism.<sup>23</sup> Although Charlotte's letters may exaggerate her distress, she seems to have felt increasingly uneasy about the situation, and her behaviour can be seen as paranoiac:

I barely dare to talk to anyone any more, and am convinced that everybody who sees me takes me for a deceiver, since we made several promises and failed to keep any. This causes me much sorrow and displeasure, which I keep to myself [*que jétoufe en moy m'aime*]. I am afraid to be in company for fear that people only think about this... In the name of God, Madame, do me the honour to send me what I have to hope for.<sup>24</sup>

After the 'dowry' had been paid, financial quarrelling continued over Charlotte's share of her mother's and younger brother's estates, since her marriage contract had not barred her from any potential inheritances.<sup>25</sup> In 1632 Charlotte asked for her 'legitimate and non-

disputable third part' of her mother's inheritance, and in 1648 she requested 50,000 *escus* (£15,000) out of her brother's estate.<sup>26</sup> By that time, however, the Countess of Derby had no means to enforce her claim because of her husband's impeachment, which rendered his signature legally invalid.<sup>27</sup> She had to rely on her sister-in-law to provide her with a fair share.<sup>28</sup> Evidence of actual monetary transfer is very patchy, but if her petition to the Council of State can be trusted, she received in total £14,000 'by the death of her mother and brother'.<sup>29</sup>

This inherited money was used in the same way a portion might have been used: to buy lands in England. An 'indenture tripartite' was signed on 25 March 1629 between Charlotte-Brabantine, dowager Duchesse de La Trémoille, Lord and Lady Strange, and the commissioners William Herbert, Earl of Pembroke, Philip Herbert, Earl of Montgomery, Sir Ranulphe Crewe and Sir Thomas Hoby. The commissioners were to 'receive all of the said £24,000 and every parte thereof' and were required

by the advise and at the desire of [Lord and Lady Strange] respectively and at their costes and charges [to] make good and sufficient convayance and assurance and disposition of the said manners and lands so it be purchased and of the money remayninge in their hands.<sup>30</sup>

The trust thus set up invested Charlotte's 'portion' in landed estates, notably in lands previously held and lost by the Stanley family.<sup>31</sup> An inventory of the portion lands lists the rectory of Ormskirk and tithes of Newburgh, Bickerstaffe and Scaerbrick in Lancashire, and the estates of Overton, Maddock, Bangor, Malors Saysneck and Iscoyd in Flintshire.<sup>32</sup> While these lands were held in joint ownership according to the terms of the indenture tripartite, they came to be regarded as Charlotte's 'separate estate' during the Civil War period.

The financial counterpart of the dowry or portion, provided by the family of the bride, was the dower or jointure, an annual allowance provided by the family of the groom in order to support the bride after her husband's death.<sup>33</sup> Shortly after her betrothal, Charlotte requested and obtained letters of denization rendering her 'capable of her Joynture dowry and livelyhood and all other goods and rights which belonged unto her or may hereafter befall her'.<sup>34</sup> The dower Charlotte was to receive from the Stanleys, if she became a widow, was slightly lower than the traditional allowance of £1,200 given to women marrying into the La Trémoille family.<sup>35</sup> Charlotte was promised £1,000 per annum 'with a house and parke yet to be assigned', in accordance with the Stanley tradition.<sup>36</sup> However, her husband appears to have later increased her jointure to £2,000 per annum.<sup>37</sup> The dower lands were not specified in the marriage contract, but settled upon her on 1 June 1628 as part of a large-scale property settlement in fee tail. Charlotte was given 'for her life for her joynture' the revenues of landed estates in Lancashire, Cheshire and Yorkshire,<sup>38</sup> estimated at £1,468 in 1653.<sup>39</sup> Since her declaration of income was to be used to assess her composition fine, Charlotte had an obvious interest in

undervaluing her estates, despite the penalties one risked for concealing revenues.<sup>40</sup> The settlement which provided Charlotte with a 'jointure for her life' was not a 'strict settlement', which many landowners came to choose after the Interregnum, when it became clear that the interests of contingent remainders were best protected by a life tenancy.<sup>41</sup> Nonetheless, the Committee for Compounding had to treat Charlotte's jointure as a reversionary interest, or land held for life, and capitalize it at a smaller number of years than other lands held by the Stanleys.<sup>42</sup>

According to his own devotional writings, James, seventh Earl of Derby, held strong pacifist convictions: 'that war is a curse and peace the blessing of God upon a nation', was the essence of his *Instructions to his Son*.<sup>43</sup> 'Unlike his wife,' writes Barry Coward, 'Derby was not always a militant royalist partisan.' Charlotte's allegedly implacable pro-Royalist stance, combined with the Earl's refusal to surrender the Isle of Man and a militant 'Puritan' opposition to the Stanleys in south-eastern Lancashire, is said to explain why the Earl of Derby was continually denied permission to compound.<sup>44</sup> However, his actual impeachment occurred in September 1642 and was thus prior to any negotiations concerning Man and also prior to Charlotte's first appearance on the public stage as defender of Lathom in 1643-4.<sup>45</sup> The second siege of Lathom, which did not involve the Countess, provided the Committee for Compounding with a reason to deny the family access to their manor of Knowsley, even though they were 'paying the ordinary assessments'.<sup>46</sup> Consequently the Countess left the Isle of Man for London in February 1647 armed 'with a letter whereby [my husband] agrees that all I will undertake regarding his submission to Parliament, he will accept'.<sup>47</sup> If the Earl was thus willing to negotiate with Parliament, so was his wife. London had changed a lot, she wrote, but many people remembered her and promised to help.<sup>48</sup> Charlotte worked with two overlapping networks of support, one based on the connections of her natal family and the other one related to the Stanley family.

As early as November 1642 she sent a letter to the Dutch States General desiring them to mediate with the English Parliament 'that her person, children and house may be secured from dangers to which she may be exposed by Lord Derby following the King's party'. She was, however, only given a civil answer, and no expectations, because the States General had decided to remain strictly neutral in the conflict between King and Parliament.<sup>49</sup> Before going to London in 1647, Charlotte expressed some hope for support from the Dutch ambassador, Albert Joachimi.<sup>50</sup> Access to the ambassador was facilitated by the fact that his secretary was Frederic Rivet, son of the Calvinist scholar André Rivet, who had known Charlotte when he was chaplain of Thouars (1595-1620).<sup>51</sup> Charlotte's hopes were in vain, despite additional diplomatic pressure from the Princess of Orange.<sup>52</sup>

While Charlotte continued to pray for help from 'a foreign power or prince',<sup>53</sup> it is significant that she never mentions France. Conscious of the fact that her French origins

could easily lead to accusations of Papist allegiances, she continually stressed her Dutch heritage and her Protestant descent. In August 1646 she addressed the Earl of Lothian, a distant kinsman of the Stanleys and supporter of Argyll, who attended Charles I after his surrender to the Scots, as follows:

I have often wished to enter negotiations with those of your nation, for I am sure they would give me credit for leaving everything behind in order to keep my religion and obey my late mother, who did not believe that I would be able to preserve my religion in an adverse marriage. You knew her piety, and ... it is [a fact] that those I am descended from would rise in judgement against me, if I were ever to forget the religion I have been brought up with and in which I hope to live and die.<sup>54</sup>

William Kerr, third Earl of Lothian, was the stepson of Anne Stanley, sister of the Earl of Derby, through her marriage to Robert Kerr, Earl of Ancram. He had married a niece of the eighth Earl of Argyll in 1630<sup>55</sup> and followed his political lead throughout the Civil War period.<sup>56</sup> In 1647 he was in London and, as a representative of the Scottish Parliament, a political force to be reckoned with. Charlotte wrote to him on 15 March, asking him for advice 'having been expressly charged by my husband to follow your advice, as there is nobody either he or I have more trust in'.<sup>57</sup> Charlotte's sister-in-law, the Duchesse de La Trémoille, also wrote to Lothian on her behalf, beseeching him

to continue [his] assistance and good favours so that [the Earl of Derby] may convince the Parliament of his good intentions, and thus restore his house to its prime state. The Countess of Derby informs me that she is employing all her resources and her friends to that end, and that she feels deeply obliged to you. Our interests are so convergent that it is impossible for me not to share [her feelings].<sup>58</sup>

There is also a brief mention of a messenger sent by Charlotte to Philip Herbert, Earl of Pembroke and Montgomery,<sup>59</sup> who was, as mentioned above, a trustee of Charlotte's portion fund. He was related to the Stanleys by his first marriage to Susan de Vere, maternal aunt of the Earl of Derby. There is not enough evidence to suggest there was an intervention by Pembroke on behalf of the Stanleys in 1647, but the 'Parliamentarian peer' was at that time, like Lothian, a Commissioner for negotiations with the King. The peace settlement was also at the centre of Charlotte's concerns, for she had been told that Derby's case could not be decided before Charles I had reached an agreement with Parliament. In June 1647 she reported that the two Houses seemed indeed prepared to 're-install the King ... and make a good peace', but she also observed that 'public opinion' was swinging in favour of the army.<sup>60</sup> When the military occupied London in early August, the Countess stayed in the capital, and displayed a cautious optimism after having seen the King at Hampton Court:

I can't tell you anything, all is uncertain and everyone is judging it like they please ... Propositions have been made to the army and to the King, and thus some treaty could be made. [There are rumours] about sending the Duke of Richmond and his wife as extraordinary ambassadors to go and seek the Queen.<sup>61</sup>

This proved to be premature. After his escape from Hampton Court in November, Charles I rejected the peace proposal known as the Four Bills and signed the Engagement allying himself with the Marquis of Hamilton. In London, Charlotte finally succeeded in lobbying the Houses of Parliament into allowing her husband to compound for his 'delinquency',<sup>62</sup> possibly in exchange for a promise not to enter a coalition with the Scottish Engagers. The Earl of Derby remained prudently neutral during the second Civil War and was conspicuously absent from the battle of Preston, which was fought in the Stanley heartlands in August 1648. Charlotte was, by all accounts, negotiating with Members of Parliament over a period of several months and might not have been willing to risk her substantial achievements: a series of declarations to prevent the further dilapidation of the manors of Knowsley and Lathom,<sup>63</sup> the immediate restitution of one-fifth of the Stanley revenue for the maintenance of their children (September 1647)<sup>64</sup> and, last but not least, permission to compound (March 1648).<sup>65</sup> Marlet's speculation that the Earl stayed away from the Lancashire battle scene because his belligerent Countess was not by his side has thus to be discarded.<sup>66</sup>

Derby did not submit himself to composition immediately. On 22 January 1649, when the King's situation had deteriorated so much that few people could imagine it getting any worse, the Earl handed in his petition, including an inventory of his landed revenue, which listed Charlotte's jointure, but not her portion lands, and totalled £4,481.<sup>67</sup> The permission to compound, however, was delayed, and Parliament issued further conditions, such as the surrender of the Isle of Man. The more pressure Parliament put on the Derbys, by threatening to attack the Isle of Man, cutting down their children's maintenance and eventually even imprisoning two of their daughters, the more defiant their attitude became. As a result, the Earl's and Countess's attachment to the Royalist cause grew stronger between 1649 and 1651. Charlotte's correspondence attests that they were profoundly shocked by the execution of the monarch on 30 January 1649.

In March 1649, when Parliament started to take an interest in the Isle of Man, King Charles II wrote to the Countess to 'acknowledge the many obligations he hath to her ... and to continue the same good affections as she had always done to his Father'. A copy of this letter can be found in Lady Carlisle's papers, together with a so-called 'paper of intelligence' which acknowledges the strong influence the Countess was supposed to have over her husband:

That the tyrants of Westminster were designing to gain the Isle of Man, and were treating with the Earl of Derby, advising a Letter to be sent to the Earl's Lady, not to part with it on any terms.<sup>68</sup>

The impression that the Derbys had given up the conciliatory stance towards Parliament which Charlotte had displayed in 1647 is confirmed by the sharp reply given to General Ireton's summons to surrender the island:

Sir, I have received your letter with indignation, and with scorn return you this answer, that I cannot but wonder whence you should gather any hopes that I should prove, like you, treacherous to my sovereign; since you cannot be insensible of the manifest candour of my former actings in his late majesty's service, from which principles of loyalty I am no whit departed. I scorn your proffer, I disdain your favour, I abhor your treason, and am so far from delivering up this Island to your advantage, that I shall keep it with the utmost of my power to your destruction. Take this for your final answer, and forbear any further solicitation; for if you trouble me with any more messages of this nature, I will burn the paper, and hang the messenger. This is the immutable resolution, and shall be the undoubted practice, of him who accounts it his chief glory to be his majesty's most loyal and obedient servant. Derby, From Castletown, July 12, 1649.<sup>69</sup>

This can be read as a powerful piece of Royalist propaganda, and was fully intended as such, since an elaborate version of this reply was secretly printed and published in London under the title *A Declaration of the right honourable James, Earl of Derby, ... concerning his Resolution to keep the Isle of Man for his Majesty's service against all force whatsoever*.<sup>70</sup> The pamphlet was full of spite against General Ireton, who had apparently offered Derby an act of indemnity and '[his] lands to be restored to [him] without composition'. The Earl claimed to have rejected this offer out of hand: 'I scorn their pardon in reference to any thing I have acted or shall act hereafter: and I value my estate no more than the most contemptible mote that flies around the sun.'<sup>71</sup> In fact the Earl was offered a composition fine of £15,573 on 12 July 1649, ironically the very same day he replied to Ireton.<sup>72</sup> By the time the news reached the Isle of Man, the pamphlet had been printed and there was no going back. By December 1649 the Lancastrian County Committee for Sequestration had ceased paying Derby's children their maintenance,<sup>73</sup> and in May 1650 Henrietta and Amelia Stanley, who resided at Knowsley, were put under house arrest.<sup>74</sup>

The Countess of Derby abandoned all hope of reaching an understanding with the new Republic because of the arbitrary nature of the new regime. She claimed that

[even] if we pay the composition fine which they had granted us, and have since refused us, we would not be any safer... If one has the least enemy, ... they can, without any form of trial, take away your goods and your life.<sup>75</sup>



Under these circumstances, the only viable option was to support Charles II and his newly found allies, the Scottish ‘Solemn Leaguers’, led by Argyll and Lothian. Shortly before the Scottish diplomatic commissioners were supposed to meet the King in March, the Earl of Derby claimed that he had faith in what Lothian was doing and appeared to expect ‘punctuall directions’ from his cousin.<sup>76</sup> Lothian seemed, at that time, willing to bring more moderate elements into the negotiating process. In May 1650, however, the Scottish Parliament made sure that Royalists and Engagers were refused access to the King, since they were considered guilty under the Acts of Classes of 1646 and 1649.<sup>77</sup> The Earl of Derby was thus not allowed to approach the King and it could have been politically damaging for Lothian to stay in contact with him. Charlotte might have hoped that, as a woman, she would be less conspicuous. As we shall see, this was not the case, and her trip ‘to the Scotts King’ was later to be construed as an act of dangerous counter-intelligence, the centrepiece of a set of accusations of ‘delinquency’.

On 27 July 1650 Charlotte left the Isle of Man for Scotland, ostensibly in order to reach Holland to break up her son’s *misalliance*. Her letters insisted that she had to go via Scotland in order to get a passport from Lothian.<sup>78</sup> Her explanation seems unconvincing on grounds of the imminent threat of a war between Scotland and Cromwellian England.<sup>79</sup> Even if Lothian had provided Charlotte with a passport, which he had not been able to do for her son in 1646,<sup>80</sup> it would not have safeguarded her from interception by Parliamentary vessels, which was the only reason she needed a passport in the first place. While there is no doubt that the Countess was very upset at the prospect of her eldest son marrying against her will, there is a possibility that she did in fact go to Scotland to gather intelligence on the King and his allies. The only surviving letter sent by Charlotte directly from Scotland is very revealing in that respect. Whereas her subsequent letters to her sister-in-law were in danger of being intercepted and only referred to her son’s disobedience, the letter headed ‘Kirkcudbright, 8 August 1650’ went uncensored, because it was sent by a safe route (with a Flemish vessel to La Rochelle). Charlotte admitted that she did not wish the King to win this war against Cromwell, because ‘those in authority here are not so much in favour of the monarchy as opposed to the Duke of Hamilton and that faction’. A republican Council of State she could deal with, but a national Church that wielded ‘more authority than the Pope would ever have’ and was above any temporal power filled her with fright. The disrespect with which the King was treated made the Countess apprehensive of the explosive mixture of predestination doctrines and social egalitarianism preached by radical Presbyterians:

The sermons I have heard here are horrible. There is nothing devout or religious in them, they offer absolutely nothing but sedition, call people by their first names, and all is presented with such ignorance and such a lack of respect or reverence that I feel so scandalized that I don’t think I can stay [much longer] amongst these atheists.<sup>81</sup>

Although it is impossible to say whether the Earl of Derby ever envisaged supporting Charles II and the ‘Solemn Leaguers’ against Cromwell, the Countess would certainly have tried to stop any such plan. This dead end was only resolved by the defeat of the Scottish army at Dunbar on 3 September 1650, which opened the way for a new alliance of the King with more conservative elements of Scottish society.

Derby’s subsequent resolve to side with the King was stiffened by the attrition of his landed property in England. In July 1651 the confiscated lands were to be sold for the profit of the Commonwealth. The report of a Parliamentary investigator concluded:

I find the said James Earl of Derby to be one of those persons whose lands by the Act of 16 July 1651 are forfeited to the Commonwealth and appointed to be sold, saving the right of others in Law and Equity, that shall have their claymes allowed by the Committee for Obstructions, as more at large in the said Act is exprest.<sup>82</sup>

When the King called on his supporters to meet in August, Derby left the Isle of Man with three hundred men, leaving Charlotte in command of the armed forces.<sup>83</sup> Derby’s execution at Bolton on 15 October 1651 opened a new phase of relations between the Countess and the Cromwellian regime. According to William Blundell, a recusant refugee who lived on the island in the 1640s, the Isle of Man could not have been taken over by force, but once fighting morale had been undermined, it was easy game:

the Isle of Man is so strongly fortified, both by nature, art, politick, vigilancy, as y<sup>t</sup> I am persuaded if y<sup>t</sup> son and sun of Man [the Earl of Derby] had not set so soon, or had been there in person to oppose, I say, had not y<sup>e</sup> Fall of the great Oak incussed a precedent Terror, which caused y<sup>e</sup> shrubs to tremble the then state of y<sup>e</sup> Com[m]onwealth of England had not entered this Island so calmly, and easily possessed it, without noise.<sup>84</sup>

An internal rebellion against the Countess had rendered her situation militarily untenable.<sup>85</sup> The Countess later claimed that she had

never opposed Parliament forces, but surrendered that castle which was her dwelling house, on the articles offered ... without so much as reading them over, a greater submission than which she knows not how to have given.<sup>86</sup>

The articles of surrender, signed on 31 October, did not grant her earlier request for full rents and jointure from England.<sup>87</sup> All her movable property was confiscated and further decisions regarding her possessions were referred to Parliament.<sup>88</sup>

After the death of the Earl of Derby, all his estates, except Charlotte’s portion and jointure lands, went to his eldest son Charles, despite the fact that he had been disinherited, because of the entail settlement made in 1628.<sup>89</sup> Charles had been cut out of

the Earl's will 'for his disobedience to his Majesty in the matter of his Marriage, as his Majesty well knows, and for his going to joyne the Rebels of England at this tyme to the greate Greefe of his parrents'.<sup>90</sup> The eighth Earl of Derby appears to have reached an understanding with the Commonwealth regime, which enabled him to sell some of his estates. As Derby had woefully stated: 'I remember one said, it was safer much to take men's lives than their estates. For their children will sooner much forget the death of their father than the loss of their patrimony.'<sup>91</sup> At the Restoration, however, Earl Charles was unable to claim back the estates he had sold, because the sales were considered 'voluntary'.<sup>92</sup>

The estates of the dowager Countess, on the other hand, remained provisionally under sequestration. She petitioned the Committee for Compounding on 27 January 1652 'praying that sequestration be discharged', but her case was considered complicated and took some time to examine.<sup>93</sup> On 28 February 1652 the Committee judged that her portion lands were to be returned:

all Manors, Lands, Titles, Tenements and Hereditaments, soe as aforesaid purchased with part of the said £24,000 portion doe remayne to the said Lady Charlotte her heirs and Assignees for all the said Estates conveyed to the said Trustees respectively, to be wholly at her disposing.<sup>94</sup>

While the Committee for Compounding with Delinquents was debating on the fate of her jointure lands,<sup>95</sup> a parallel parliamentary inquiry was launched by the Committee for Advance of Money, following a denunciation by Robert Massey, leading to a confirmation of the sequestration.<sup>96</sup> Massey, a pro-Parliamentarian mercer from Liverpool, claimed that his ship had been seized in June 1650 by privateers working for the Earl of Derby and that his merchandise had been distributed 'between the Earl and his complyces'.<sup>97</sup> Massey's grudge was also founded on having been held 'prisoner twentie and five weekes in the Earl of Derbys own house at Lathom'. This might have resulted in a confrontation with the Countess during the siege of Lathom, a possible explanation of Massey's anger towards her in particular. She was accused of having been 'displeased that the [pirate] had not upon takeing the said shippe and goods cast this informer and all the rest of the passengers with him overboard into the sea as Rebels and Traytors'.<sup>98</sup> At the time this material was not very incriminating,<sup>99</sup> but circumstances changed dramatically after the Royalist campaign of 1651. Previous mentions of Charlotte going to Scotland in August 1650 in order to meet 'the Scotts King' were re-interpreted as evidence for spying and smuggling of arms. It was suggested that the Countess had been instrumental in preparing an alliance between Derby's troops and the Scottish Royalist movement in 1651. Moreover, her actions on the Isle of Man came under close scrutiny, and her readiness to surrender the island after her husband's execution was investigated.<sup>100</sup>

The Massey enquiry resulted in a full hearing of the case in March 1653, which concluded that the Countess fell within the Ordinances for Sequestration, but deserved to be favourably recommended to Parliament. A provisional suspension of the sequestration was agreed.<sup>101</sup> But after Parliament was dissolved on 18 March there was no check on the committees, who ordered their county representatives to sequester her revenues, 'she being a delinquent'.<sup>102</sup> Thereupon the Countess petitioned the Council of State, remarking that she was 'a stranger, born in France, before she was married at the Hague', and that

it was agreed, according to the laws of those countries, that no action of her husband's or her own should deprive her children of the estate purchased with her jointure, the trustees being William and Philip, Earls of Pembroke, and Sir Henry Vane senior.<sup>103</sup>

On 8 October 1653, Parliament finally admitted Charlotte to compound for any estate 'forefeited or sequestered for or in respect of *her* delinquency'.<sup>104</sup> She was to pay Robert Massey £1,000 in damages and a further £7,200 composition fine, an extraordinarily high penalty considering that her jointure lands yielded only £1,468 per year.<sup>105</sup> The Earl of Derby's fine (£15,573) had only amounted to three to four years' income (one sixth of the capital value), whereas his widow's fine was almost one fourth of the capital value of her lands. John Habakkuk, who worked extensively on the issue of landed wealth, has explained that the fines for delinquents varied according to the severity of their opposition to Parliament. He found that the great majority of the compounding Royalists had to pay only one or two years' income, an amount comparable to a daughter's portion.<sup>106</sup> According to the Countess herself,

most of the compositions of those who have been highest in Delinquency hath bene but 2 years purchase for inheritance whereas hers is 3 years for estates held for life [and 5 years for inheritances].<sup>107</sup>

As Charlotte complained to the Council of State in July 1654, why was there 'more severity used against her than others'? The answer may lie in the perception of the role played by the Countess in the Civil War. The Parliamentary Committees had difficulties seeing her in the role of a victim, 'a stranger borne and a Protestant and a widowe and a mother of five fatherlesse children', as Charlotte described herself.<sup>108</sup> The siege of Lathom had been widely covered both by Royalist and Parliamentary news-sheets, and the Countess had been celebrated as a heroine by the first, but denounced as a malign example of foreign female interference by the latter.<sup>109</sup> Her trip to Scotland, her alleged mistreatment of prisoners at the Isle of Man, and her initial refusal to surrender the island had been examined in detail over several months. The original 'charge of delinquence' exhibited by Massey had become increasingly elaborate and led to a standard list of thirty-three questions for potential witnesses.<sup>110</sup>

Charlotte attempted to counter these charges with the traditional argument that women were not to be held responsible for supporting their husbands: 'shee humbly conceives is the only woman that ever was sequestered for as[is]ting on that side w<sup>ch</sup> her husband adhered'.<sup>111</sup> But the Committee appeared more impressed by witness accounts like that by one Philip Moore of Douglas who claimed that 'when the Earl of Derby came for England, she bade him [to] pull off the breeches and she would put them on, and then lead them on'.<sup>112</sup> The fine was not reduced, but Charlotte was able to pay the first half of the composition fine and recover her estates, allowing her to raise enough money to pay the second half.<sup>113</sup> Charlotte's hopes of evading further penalties by 'not getting mixed up in anything at all' were thwarted:

I have been taxed for 8,000 *livres* more than I receive. The Major-General ... would not listen to my agent... He asserted that I had great estates beyond the sea (as he expressed it), and many jewels and other imaginary things, and would hear nothing on my behalf, nor treat with anyone who came from me.<sup>114</sup>

As late as October 1659 the Countess was afraid that all her compositions would be declared null and void.<sup>115</sup> Although Charlotte had been forced to contract important debts,<sup>116</sup> there is no evidence of her having to sell lands. She managed to save her portion lands from sequestration and was, after 1654, able to collect the income of her jointure lands.

According to Habakkuk, the real costs of delinquency did not so much affect a family's landed assets as the quality of their marriages.<sup>117</sup> Destitute as Charlotte claimed to be, were her daughters forced to marry 'beneath them'? Their father had left them substantial portions in his will,<sup>118</sup> but since the main clause (disowning Charles) had not been implemented, there is no reason to believe other arrangements were respected.<sup>119</sup> Moreover, the bitter quarrel that arose between the new Earl of Derby and his mother, who acted as guardian to the other children, ruled out any provisions carved out of the main Stanley estates. Nonetheless, all three girls contracted what their mother considered to be brilliant alliances. In September 1652, a wealthy widower and friend of their deceased father, Henri Pierrepont, Marquess of Dorchester, asked for Catherine Stanley's hand. The Countess dowager judged him to be 'sensible, clever, accomplished and rich, having £14,000 a year';<sup>120</sup> moreover - according to a contemporary observer - 'he asks no portion, but takes her for love'.<sup>121</sup> Charlotte's initial rejoicing over the rich jewellery Dorchester offered his wife soon gave way to disappointment over the unhappiness of the marriage, as the Marquess turned out to be of a violent and jealous nature.<sup>122</sup>

By contrast, Charlotte's letters tend to stress the 'good character' rather than the financial standing of the second suitor, who married her eldest daughter Mary in February 1655.<sup>123</sup> William, Viscount Wentworth, professed 'infinite friendship for his wife, combined with the great esteem he has for her' and did not insist on a dowry either, although Charlotte

agreed to contribute towards the couple's living costs.<sup>124</sup> This union with the eldest son of the Earl of Strafford, who recovered his title after the reversion of his father's attainder in 1662, matched the first daughter's marriage in material benefits, and definitely exceeded it in social prestige after the Straffords had established themselves at the Restoration court.

The third marriage, contracted in May 1659 between John Murray, Earl of Atholl, and Charlotte's youngest daughter Amelia, was the most prolific in the long term.<sup>125</sup> The Countess dowager approvingly noted that Atholl's rent-roll was £30,000 *per annum*, but this time she wanted to make sure that the groom not only met her requirements, but also pleased her daughter.<sup>126</sup> Unlike Dorchester and Strafford, Atholl was still considered an active Royalist and was excluded from Cromwell's Act of Indemnity in 1654.<sup>127</sup> One suspects that it was the resilience of his wealth and bargaining power that decided Charlotte to grant Amelia as high a dowry as she could afford: £5,000 or five years of revenues from the Isle of Man.<sup>128</sup> Strictly speaking, the Isle of Man was not part of Charlotte's dower lands, although it had been used as such by previous Countess dowagers.<sup>129</sup> An ordinary lease of the island for twenty-one years had been given to Charlotte by her husband, according to an indenture signed on 5 August 1651. At the Restoration, when the Isle of Man was returned to the eighth Earl of Derby, Charlotte tried to recover this lease, but her son refused to acknowledge it:

my son, without telling me anything, after I ... fed him and all his family, did this to me. Our friends advise me to come to an agreement whereby I should receive half the revenue. But I don't think I will receive anything but by force, his wife being a person devoid of any qualities, but of those that shock me... She makes her husband do things most unworthy, which I'm afraid he is only to ready to do.<sup>130</sup>

The Committee for Petitions made mother and son agree to share the revenues, each receiving £500 per year.<sup>131</sup> Nonetheless, the Earl of Atholl was unable to enforce the payment of his wife's portion, the Isle of Man 'being out of the power of any sheriff', and the expected revenue seemed definitely lost after the Earl of Derby's death in 1672, since the Isle of Man had been entailed to his son.<sup>132</sup>

The case of Charlotte de La Trémoille, Countess of Derby, illustrates the duality of the female condition. Advantageous property arrangements, the exceptional circumstances of the Civil War, and, last but not least, her husband's support, gave the Countess enough leeway to deal efficiently with her political and legal opponents. At the same time, once she was asked to account for her actions, Charlotte used patriarchal rhetoric and portrayed herself as a subordinate wife and destitute widow in order to assuage her Parliamentary detractors.

A detailed analysis of her legal battle has shown that she used not only her dowry but also her dower lands, though these were reversionary in nature, to secure the interests of her marital family. It is thus nonsensical to argue that family interests and widows' interests were by nature opposed.<sup>133</sup> The postnuptial trust that had been set up to invest her French 'dowry' (or inheritances) in English land overrode the customs of joint ownership and *coverture*. Charlotte's portion lands had never been sequestered during her husband's lifetime, and her jointure lands would have been rapidly restored had she not been accused of 'delinquency' herself. Paradoxically, the fact that the Countess was not allowed to sell off any family estates, no matter how heavily she had to indebt herself, saved the lands from creditors and speculators, whereas her son, the eighth Earl, experienced great difficulties at the Restoration in getting the 'voluntary' sales he had made annulled.

Even before she became a widow and had to rely on her own resourcefulness, Charlotte had developed a strong sense of initiative and responsibility. The old dichotomy between the 'dovish' Earl and the 'hawkish' Countess appears, however, more than tenuous. While the Countess certainly hoped for a restoration of the monarchy, she refused to support Charles II during his brief alliance with the 'Solemn Leaguers'. The Countess made very selective use of her trans-national network of relatives, relying for the rescue of Lathom on her cousin, Prince Rupert of the Rhine, and later stressing the Dutch origins of her mother, Charlotte-Brabantine of Nassau, in order to demonstrate support for a republican and Protestant regime. Rather than establishing links with Royalist exiles in France, Charlotte preferred to tie bonds with her husband's Scottish kinsman, the Earl of Lothian, and offered her co-operation to the English Parliament between 1646 and 1648. She obtained permission for her husband to compound for the family estates, but the King's execution and the unwillingness of Parliamentarian committees to let go of the Derby estates moved her husband to take up arms again. The Countess's own 'delinquency' consisted of gathering intelligence from Charles II and his Scottish allies in 1650; her position became increasingly vulnerable as her husband was executed for treason and the Isle of Man had to be surrendered. Eventually, Charlotte saw no other option but to comply with the new Republic. Her ultimate achievement lay in her successful negotiation of advantageous marriages for her three daughters, which ensured their continued security and further illustrates the pragmatism and tenacity that informed the fiscal survival strategies of the Countess of Derby.

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<sup>1</sup> Amy Louise Erickson, *Women and Property in Early Modern England* (London and New York: Routledge, 1993), p. 5; ead., 'Property and Widowhood in England, 1660-1840', in S. Cavallo and L. Warner (eds.), *Widowhood in Medieval and early Modern Europe* (Harlow: Longman, 1999), p. 147.

<sup>2</sup> Sara Mendelson and Patricia Crawford, *Women in Early Modern England* (Oxford: Clarendon Press, 1998), pp. 35-6, 39, 41; see also Anne Laurence, *Women in England, a Social History 1500-1760* (London: Weidenfeld and Nicolson, 1994), pp. 228-9. According to Anthony Fletcher, there was a massive backlash against the loosening up of the social hierarchy after the Restoration; Fletcher, *Gender, Sex and Subordination in England, 1500-1800* (New Haven: Yale University Press, 1995), pp. 283, 384.

<sup>3</sup> Mendelson and Crawford, *Women in Early Modern England*, p. 36.

<sup>4</sup> Susan Staves, *Married Women's Separate Property in England, 1660-1833* (Cambridge, Mass.: Harvard University Press, 1990), p. 198.

<sup>5</sup> Staves, *Married Women's Separate Property*, p. 222.

<sup>6</sup> Mendelson and Crawford, *Women in Early Modern England*, p. 180.

<sup>7</sup> Barbara J. Harris, *English Aristocratic Women, 1450-1550* (Oxford: Oxford University Press, 2002), p. 242 (my italics).

<sup>8</sup> Miriam Slater, *Family in the Seventeenth Century. The Verneys of Claydon House* (London: Routledge & Kegan Paul, 1984); Sara Mendelson, 'Stuart Women's Diaries and Occasional Memoirs', in Mary Prior (ed.), *Women in English Society* (London: Methuen, 1985); Roger Hudson (ed.), *The Grand Quarrel: from the Civil War Memoirs of Mrs Lucy Hutchinson; Mrs Alice Thornton; Ann, Lady Fanshawe; Margaret, Duchess of Newcastle; Anne, Lady Halkett, & the Letters of Brilliana, Lady Harley* (London: Folio Society, 1993).

<sup>9</sup> Katie Whitaker, *Mad Madge: the extraordinary life of Margaret Cavendish, Duchess of Newcastle, the first woman to live by her pen* (New York: Basic Books, 2002); Richard T. Spence, *Lady Anne Clifford, Countess of Pembroke, Dorset and Montgomery (1590-1676)* (Stroud: Sutton, 1997).

<sup>10</sup> Mendelson and Crawford, *Women in Early Modern England*, pp. 376-7, 414; Antonia Fraser, *The Weaker Vessel* (London: Arrow, 1999), pp. 190-2; Christopher Durston, *The Family in the English Revolution* (Oxford: Basil Blackwell, 1989), pp. 90-4; Fletcher, *Gender*, pp. 78, 124, 157-62.

<sup>11</sup> Katharine Walker, 'The Military Activities of Charlotte de la Tremouille, Countess of Derby, during the Civil War and Interregnum', *Northern History* 38/1 (2001), pp. 47-64.

<sup>12</sup> The average aristocratic portion in the early seventeenth century was £4,000 and in 1625-1640 it ranged between £5,000 and £10,000. Only Mary Villiers, daughter of the Duke of Buckingham, received a similarly high dowry (£25,000); Lawrence Stone, *The Crisis of the Aristocracy 1558-1641* (Oxford: Clarendon Press, 1965), pp. 637-9.

<sup>13</sup> Barry Coward, *The Stanleys, Lords Stanley and Earls of Derby, 1385-1672. The Origins, Wealth and Power of a Landowning Family* (Manchester: Manchester University Press for the Chetham Society, 1983), pp. 207-8.

<sup>14</sup> These are the findings of my doctoral research on the La Trémoille family, to be completed in March 2004.

<sup>15</sup> Portions offered by French dukes and peers range between 90,000 and 600,000 *livres* in the reigns of Henri IV and Louis XIII, Jean-Pierre Labatut, *Les ducs et pairs de France au XVII<sup>e</sup> siècle: étude sociale* (Paris: Presses universitaires de France, 1972), p. 147.



<sup>16</sup> Archives Nationales de France (AN) 1AP 398/9, Sedan, 9 Feb. 1619; 1AP 2244, Cassel, 24 May 1648.

<sup>17</sup> AN 1AP 409/2, 1AP 398/10 and 11 (Aug. 1619). This partition document was confirmed in 1625: AN 1AP 409/3, 1AP 398/12 (28 Mar. 1625).

<sup>18</sup> Unfortunately the document of this transaction (dated 14 Apr. 1625) has not survived; it is only referred to in the *Procuracion pour negocier le mariage de Charlotte de La Trémoille* (AN 1AP 400) and in Charlotte's marriage contract (AN 1AP 387/3). There is, however, evidence that the *fermier* of Quintin was making payments to Charlotte before her marriage, AN 1AP 648.

<sup>19</sup> AN 1AP 387/3. The reason the La Trémoille committed themselves so heavily to the payment of the inheritance/dowry might be explained by the fact that, as Huguenots, all La Trémoille daughters in the seventeenth century experienced difficulties in finding a suitable marriage partner in France. They were thus above average age when they married. Charlotte was twenty-six, her niece Marie (Duchess of Saxe-Weimar) thirty and her grand-niece Charlotte-Amélie (Countess of Aldenburg) twenty-eight.

<sup>20</sup> AN 1AP 387/4, G. Kinschot to Charlotte-Brabantine, 26 Dec. 1627. Henri de La Trémoille was militarily engaged on the side of Louis XIII against the Huguenots of La Rochelle, who were counting on English ships, supported not only by the Earl of Derby, but also by Henri's brother, the comte de Laval.

<sup>21</sup> AN 1AP 384/39, Charlotte de La Trémoille to Marie de La Tour, 20 Nov. 1627: 'I have learned, my heart, that your sales in Brittany advance but little because of these wars, which deprives me of my hope to receive my money'.

<sup>22</sup> AN 1AP 384/35, Charlotte de La Trémoille to her mother, Charlotte-Brabantine, 21 July 1627; 1AP 384/37, 28 Sept. 1627; 1AP 384/38, 21 Oct. 1627.

<sup>23</sup> She asked her mother to send her the money in order to 'fermer la bouche a plusieurs personne qui n'ayme pas les étrangers'. AN 1AP 384/36.

<sup>24</sup> AN 1AP 384/50, Charlotte to Charlotte-Brabantine, 2 Sept. 1628.

<sup>25</sup> Marriage contracts with 'real' dowries, on the other hand, often made the brides promise to relinquish all inheritance coming from any male relatives, AN 1AP 398/9, 1AP 2244.

<sup>26</sup> AN 1AP 384/60, 1AP 384/87.

<sup>27</sup> AN 1AP 384/80, Charlotte to Marie de La Tour, 19 July 1647; 1AP 384/82, 10 Sept. 1647; 1AP 384/87, 25 Mar. 1648.

<sup>28</sup> AN 1AP 384/86, Charlotte to Marie de La Tour, 20 Mar. 1648: 'having such a strong confidence in the honour of your friendship and probity that I know that nothing can shake one or diminish the other'; similar argument in 1AP 384/88, 27 Sept. 1649.

<sup>29</sup> Petition by Charlotte de La Trémoille to the Council of State (May 1653), M. A. E. Green, *Calendar of the Proceedings of the Committee for Advance of Money* (London: for HMSO by Eyre and Spottiswoode, 1888), pp. 1295-8. In 1642, her brother had ordered Chamdor to give her no more than 80,000 *livres* for her mother's succession; 1AP 398/21.

<sup>30</sup> AN 1AP 2243, 25 Mar. 1629.

<sup>31</sup> Coward, *The Stanleys*, p. 57.

<sup>32</sup> J. H. Stanning, 'The Royalist Composition Papers', *Record Society for Lancashire and Cheshire*, 26 (1892), pp. 184-9. Charlotte's petition, dated Oct. 1653, omits the lands of Eynsham (Oxfordshire), and Goosnargh and Chipping (Lancashire), sold in 1642; Lancashire Record Office (LRO) DDK 772/4.

<sup>33</sup> A widow's jointure was usually calculated as net income, usually under the form of physical ownership of land and living quarters. Stone, *Crisis*, p. 632; Erickson, *Women and Property*, p. 119. According to Common Law, widows had the right to a dower (a life interest in one-third of a husband's freehold lands), a jointure (a life interest in land, or a money equivalent in the form of an annuity) and a freebench or widow's estate (customary rights to between one-third and the

whole of the interests a husband held by customary tenure, for life or for widowhood); Tim Stretton, 'Widows at law in Tudor and Stuart England', in S. Cavallo and L. Warner (eds.), *Widowhood in Medieval and early Modern Europe* (Harlow: Longman, 1999), p. 199. In practice, dower and jointure were used interchangeably.

<sup>34</sup> Letters awarded on 12 Sept. 1626, under the Great Seal of England, AN 1AP 2243. Similarly, her husband obtained letters of naturalization from Louis XIII in order to claim Charlotte's inheritances for himself and the children 'born and to be born from this marriage'; 1AP 387/5, 1AP 387/6.

<sup>35</sup> This applied to Charlotte-Brabantine (who married Claude de La Trémoille in 1598), AN 1AP 321; to Marie de La Tour (who married Henri de La Trémoille in 1619), 1AP 398/9; and to Emilie of Hesse-Cassel (who married Henri-Charles de La Trémoille in 1648), 1AP 2244.

<sup>36</sup> AN 1AP 2243. In 1595, Elizabeth de Vere had been promised the same amount; B. M. Ward, *The Seventeenth Earl of Oxford, 1550-1604* (London: J. Murray, 1928), p. 319. Anne Hastings, widow of the second Earl of Derby, received a grant of dower lands valued at £964 per annum, and Alice Spencer, widow of the fifth Earl of Derby, only received a dower of £447 per annum; Coward, *The Stanleys*, pp. 204, 44.

<sup>37</sup> AN 1AP 384/38, Charlotte to Charlotte-Brabantine, 21 Oct. 1627.

<sup>38</sup> In Lancashire: the family home of Knowsley and the manors of Bury (including the advowson), Pilkington, Brightmet, Holland (tithes), Halewood, Sowerby magna and Sowerby parva, Walmersley, Reddivalles, Elton, Shuttleworth, Heape, Haworke, Heslombey, Unsworth, Outwood, Whitfield, Cheetham, Cheetwood, Salford, certain lands in Manchester and Sawrebies. In Cheshire: the manors of Bidston, Macclesfield, Wioldboreclough and Wirrall. In Yorkshire: the manors of Thirsk, Kirkby Malzeard, Burton in Londesdale and Mewith; Public Record Office (PRO), SP23/79/427-8.

<sup>39</sup> Stanning, *Composition Papers*, pp. 184-9.

<sup>40</sup> M. A. E. Green, *Calendar of the Proceedings of the Committee for Compounding*, 5 vols. (London: n.p., 1889-92) i. xv; v. xxvii. Charlotte apologized in advance 'for any Estate omitted, or any Lands undervalued, or other mistakes or defects in this Particular (if there be any), she being ignorant of her Estates, and the same falling into her but lately, by the death of her husband, since w[hi]ch tyme she hath scarce had any possession thereof'; Stanning, *Composition Papers*, pp. 183-4.

<sup>41</sup> H. J. Habakkuk, *Marriage, Debt and the Estate Sytem. English Landownership 1650-1950* (Oxford: Clarendon Press, 1994), p. 12.

<sup>42</sup> H. J. Habakkuk, 'Landowners and the Civil War', *Economic History Review*, 2nd ser., 18 (1965), pp. 132-3.

<sup>43</sup> F. R. Raines (ed.), *The Stanley Papers* III/3, Chetham Society, 66 (Manchester, 1867), p. 49.

<sup>44</sup> Barry Coward, 'The Social and Political Position of the Earls of Derby in later Seventeenth-century Lancashire', *Transactions of the Historic Society of Lancashire and Cheshire (THSLC)*, 132 (1982), pp. 133, 135-7. In the propositions of Uxbridge and Newcastle the Earl of Derby ranked third on the list of people to 'expect no pardon', preceded only by Rupert and Maurice, Counts Palatine of the Rhine, who happened to be his wife's cousins; Samuel Rawson Gardiner (ed.), *The Constitutional Documents of the Puritan Revolution, 1625-1660* (Oxford: n.p., 1906), p. 279 (24 Jan. 1643/4: Uxbridge, article 5) and p. 298 (13 July 1646: Newcastle, article 16).

<sup>45</sup> *Journal of the House of Lords (JL)* v. 354 (14 Sept. 1642); George Ormerod (ed.), *Tracts relating to Military Proceedings in Lancashire during the Great Civil War*, Chetham Society, II (1844), pp. 35-7.

<sup>46</sup> 2 Dec. 1645, Raines, *The Stanley Papers* III/3, pp. cxxiv-cxxv.

<sup>47</sup> AN 1AP 384/78, Charlotte to Marie de La Tour, 21 June 1647.

<sup>48</sup> AN 1AP 384/73; *JL* viii. 373b (granting of a pass to come to London) and ix. 322b (giving her leave to reside in her own house in Chelsea).

<sup>49</sup> *Historical Manuscripts Commission (HMC) 10<sup>th</sup> Report*, p. 91, W. Strickland to John Pym, 10/20 Nov. 1642.

<sup>50</sup> Henriette de Witt-Guizot, *The Lady of Latham: Being the Life and Original Letters of Charlotte de La Trémoille, Countess of Derby* (London: n.p., 1869), p. 116 (Winter 1646/47); The original is probably letter AN 1AP 384/69, which is unfortunately unreadable.

<sup>51</sup> Charlotte de La Trémoille might even have provided Frédéric Rivet with the position of ambassadorial secretary: 'Madame Strange m'escrit ... les satisfactions qu'elle a des soings de Monsieur son filleul, vostre filz & l'espérance qu'elle a de l'accomodement des affaires d'Angleterre, car sa pitié & bonté la faict parler de cela avec des tendresses & désirs sy ardent qu'il n'est pas croyable sans la bien cognoistre. C'est une très bonne & vertueuse Dame que je prie Dieu de conserver & bénir de plus en plus'; Universiteitsbibliotheek Leiden, BPL 2211a/234, Rozemont to Rivet, 9 Nov. 1640, transcribed by Mr Tulot.

<sup>52</sup> Amalia van Solms knew Charlotte from her maiden days in The Hague and commissioned the Studio of Gerrit van Honthorst to paint a double portrait of herself and Charlotte as Ceres and Diana, C 8.7.1998, p. 91. See Simon Groenveld, 'The English Civil Wars as a Cause of the First Anglo-Dutch War, 1640-1652', *The Historical Journal*, 30 (1987), p. 552.

<sup>53</sup> Witt-Guizot, *The Lady of Latham*, p. 143; AN 1AP 384/88, 27 Sept. 1649: 'mon souhait est d'estre maintenue de quelque bon Etat ou prince étranger'.

<sup>54</sup> *The Correspondence of Sir Robert Kerr, First Earl of Ancram, and his Son William, Third Earl of Lothian*, 2 vols. (Edinburgh: R. & R. Clark, 1875) i. 194, Charlotte to Lothian, 3 Aug. 1646.

<sup>55</sup> His wife was Anne Carr, daughter and heiress of the Earl of Lothian and of Annabella Campbell, daughter of the seventh Earl of Argyll. Their son Robert, future Earl of Lothian, married Jean Campbell, daughter of the eighth Earl of Argyll in 1660, and their daughter Vere married Argyll's second son Neil in 1668. *Corr. of R. Kerr*, i. cxiii-cxviii, 'Genealogy tables'.

<sup>56</sup> On 22 Mar. 1641 he was talking about 'a just and hold warre for the advancement of Religion'; *Corr. of R. Kerr*, i. lxii.

<sup>57</sup> *Ibid.*, i. 212, Charlotte to Lothian, 15 Mar. 1647.

<sup>58</sup> *Ibid.*, i. 221-2, Marie de La Tour to Lothian, 17 May 1647.

<sup>59</sup> *Ibid.*, i. 212.

<sup>60</sup> AN 1AP 384/78, Charlotte to Marie de La Tour, 21 June 1647.

<sup>61</sup> AN 1AP 384/83, 20 Sept. 1647. The Duchess of Richmond was Mary Villiers, widow of the eldest son of the Earl of Pembroke.

<sup>62</sup> *JL*, x. 113 (14 Mar. 1648) and *Journal of the House of Commons (JC)*, v. 498 (15 Mar. 1648). The House of Commons thus followed the lead of the House of Lords. Charlotte had been busy 'seeing and being visited by several of the Parliament, key people of both Houses', and had deemed it easier to obtain a favourable ruling through the House of Lords 'there being so many people in the Commons', whereas in the Peers' chamber 'everyone has their friends who will not go against each other'; AN 1AP 384/73 and 80.

<sup>63</sup> The repetition of that order seems to suggest that it was not respected; *JL*, ix. 77-78 (13 Mar. 1647), 88 (19 Mar. 1647), 340 (20 July 1647), 382 (10 Aug. 1647).

<sup>64</sup> PRO SP 23/79/418

<sup>65</sup> *JL*, x. 113 (14.3.1647/8); *JC*, v. 498 (15.3.1647/8).

<sup>66</sup> Léon Marlet, *Charlotte de La Trémoille, Comtesse de Derby, 1599-1664* (Paris: n.p., 1895), pp. 185-6.

<sup>67</sup> PRO SP 23/215/03-5; Stanning, *Composition Papers*, p. 112; Coward, *The Stanleys*, pp. 207-8.

<sup>68</sup> *HMC 70 Pepys*, pp. 304-5.

<sup>69</sup> *Cobbett's Complete Collection of State Trials*, 33 vols. (London, 1809-28), v. 320. The rhetorical threat of destroying the paper and hanging the messenger was also used by the Countess when rejecting Rigby's summons to surrender Lathom on 25 April 1644; Peter Draper, *The House of Stanley* (Ormskirk: n.p., 1864), p. 129.

<sup>70</sup> Published in *State Trials*, v. 320-3 (18 Jul 1649); Ormerod, *Tracts*, p. 283.

<sup>71</sup> *State Trials*, v. 322.

<sup>72</sup> *Cal. Com. for Compounding*, ii. 1100.

<sup>73</sup> PRO SP 23/79/418. The decision was confirmed in July 1650, PRO SP 23/79/419 and 421.

<sup>74</sup> AN 1AP 384/95, Charlotte to Marie de La Tour, 8 June 1650: 'no reason has been given, some people wrote me that the girls were thought too much loved by the population, and that petitions were made in favour of letting their father compound. But I cannot see that to be true, since nobody was allowed to come within six miles of them unless authorised by Parliament. They are thus held captives without being guilty...'

<sup>75</sup> AN 1AP 384/91, Charlotte to Marie de La Tour, 20 Jan. 1650. A prophetic statement considering the Earl's speedy trial and execution some ten months later. One can contrast this view from a victim's perspective with a general analysis by Aylmer, who concludes that the new civil servants were on the whole less likely to behave in a discriminatory, tyrannical or corrupt manner than the Crown's former servants; G. E. Aylmer, *The State's Servants. The Civil Service of the English Republic, 1649-1660* (London and Boston: Routledge & Kegan Paul, 1973).

<sup>76</sup> *Corr. of R. Kerr*, ii. 261, Earl of Derby to Lothian, 13 Mar. 1650.

<sup>77</sup> John R. Young, *The Scottish Parliament 1639-1661* (Edinburgh: John Donald, 1996), pp. 249, 253.

<sup>78</sup> *Corr. of R. Kerr*, i. 277-8, Charlotte to Lothian, 5 Aug. 1650; AN 1AP 384/96, 97 and 98.

<sup>79</sup> The Scottish parliament was levying forces to meet the threat from Cromwell from May 1650 onwards. Cromwell and his army crossed the Tweed on 22 July; Young, *The Scottish Parliament*, pp. 253, 257.

<sup>80</sup> *Corr. of R. Kerr*, i. 194, Charlotte to Lothian, 3 Aug. 1646.

<sup>81</sup> AN 1AP 384/96.

<sup>82</sup> PRO SP23/79/432. The Act of Sales was all the more damaging for the dispossessed because it granted sitting tenants the right of pre-emption, that is, the right to buy land they occupied before an opportunity was offered to other potential purchasers; Coward, *The Stanleys*, p. 72; C. H. Firth and R. S. Raits (eds.), *Acts and Ordinances of the Interregnum, 1642-1660*, 3 vols. (London: HMSO, 1911), ii. 520-5.

<sup>83</sup> J. R. Dickinson, 'The Earl of Derby and the Isle of Man, 1643-1651', *THSLC*, 141 (1991), p. 68. The declaration, which also granted the Countess 'full power and authoritie to dispose of, place or displace all officers of this Island, spirituall or temporall', is published in A. W. Moore, *A History of the Isle of Man*, 2 vols. (London: T. Fisher Unwin, 1900) i. 263-4.

<sup>84</sup> William Harrison (ed.), *William Blundell: A History of the Isle of Man*, Manx Society, 25 (Douglas, 1876), pp. 16, 88, 90-93. On the island's fortifications, see Dickinson, 'The Earl of Derby', pp. 53-8.

<sup>85</sup> After Derby's departure, William Christian gathered about 800 men at his oath and made them swear an oath to 'withstand the Lady of Derby in her designes until shee had yealded or condissended to their agreavances'; William Harrison, *Illiam Dhône and the Manx Rebellion 1651*, Manx Society, 26 (Douglas, 1877), pp. 4-27; Moore, *History*, i. 265-70.

<sup>86</sup> PRO SP19/147/44, Petition to the Council of State, May 1653.

<sup>87</sup> PRO SP19/146/32.

<sup>88</sup> Walker, 'Military Activities', p. 59.

<sup>89</sup> *HMC Dartmouth* iii. 106-7, Charlotte to M. Legge, 18 Feb. 1662.

<sup>90</sup> LRO DDK 12/1, 1 Aug. 1651.

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<sup>91</sup> James Stanley, Earl of Derby, *History and Antiquities*, Manx Society, 3 (Douglas, 1860), chapter 18, § 4, published online in 2001, <[http://www.isle-of-man.com/manxnotebook/manx\\_soc/msvol03/p1intro.htm](http://www.isle-of-man.com/manxnotebook/manx_soc/msvol03/p1intro.htm)>, accessed 13 Oct. 2003.

<sup>92</sup> Joan Thirsk, 'The Restoration Land Settlement', *Journal of Modern History* 26/4 (1954), pp. 318, 321, 324; Habakkuk, 'Landowners', p. 130; Paul H. Hardacre, *The Royalists During the Puritan Revolution* (The Hague: Nijhoff, 1956), pp. 98-9, 154, 157-8. For a reappraisal see Coward, *The Stanleys*, pp. 70-9.

<sup>93</sup> Stanning, *Composition Papers*, p. 225; PRO SP23/79/422 and 437-8.

<sup>94</sup> PRO SP23/79/432-3.

<sup>95</sup> Their report was generally favourable to the Countess, PRO SP23/79/435, 23 Mar. 1652.

<sup>96</sup> PRO SP 19/11/422, 28 May 1652. There were two distinct inquiries although, in theory, the two committees had merged in 1650, or were at least residing in the same house at Haberdasher's, see *Cal. Com. Advance of Money*, p. vi.

<sup>97</sup> PRO SP23/79/408, Testimony by George Sayer, 13 Aug. 1650: One fifteenth was kept for the King, one tenth for the Earl and the rest for the buccaneer. Some of the silk and taffeta was used to make 'garnments for the commanders gentlewomen'. On the links between piracy and the authorities at the Isle of Man, see J. R. Dickinson, *The Lordship of Man under the Stanleys. Government and Economy in the Isle of Man, 1580-1704* (Douglas: Centre for Manx Studies, 1997), pp. 326-30; Raines, *The Stanley Papers*, pp. clvi-clix.

<sup>98</sup> PRO SP23/79/413, Testimony by William Stealefox, n.d.. The alleged threats Charlotte was making became a recurrent theme. The final embellishment was made by witness Philip Moore of Douglas: 'she bade the seamen, when they took Parliament prisoners, tie them back to back and cast them into the sea', *Cal. Com. Advance of Money*, pp. 1295-8.

<sup>99</sup> It only led to a compensation for Robert Massey, who was to receive one fifth of the one fifth that had been left to the Stanleys; *Cal. Com. Advance of Money*, pp. 1295-8

<sup>100</sup> PRO SP19/147/1, 2 Jan. 1652: 'A charge of delinquencies exhibited against the Countesse of Darbye', followed by a series of witness interrogations, including a cross-examination of her own daughter, Mary Stanley, PRO SP19/147/2-16.

<sup>101</sup> PRO SP 19/12/325.

<sup>102</sup> PRO SP 23/79/403, SP 19/25/94

<sup>103</sup> The claim was thus based on the indenture dated 1 June 1628. The Committee for Advance of Money considered that this petition had a good hope of passing, see PRO SP 19/147/44.

<sup>104</sup> PRO SP 23/79/395 (my italics); *JC*, vii. 331 (8 Oct. 1653).

<sup>105</sup> Stanning, *Composition Papers*, pp. 184-9.

<sup>106</sup> Habakkuk, 'Landowners', pp. 132-3, 136.

<sup>107</sup> PRO SP 23/230/55, Petition to the Council of State, read on 14 July 1654.

<sup>108</sup> PRO SP 23/230/55. The Countess had six children, but her eldest son Charles was not dependent on her income and had been cut out of both his parents' last wills. On the rhetorical use of the 'poor widow', see Erickson, *Women and Property*, p. 154.

<sup>109</sup> Walker, 'Military Activities', pp. 52, 56.

<sup>110</sup> PRO SP 19/147/1 and SP 19/147/17.

<sup>111</sup> PRO SP 23/230/55.

<sup>112</sup> PRO SP 19/147/24.

<sup>113</sup> She continued to be hard pressed by the committees to pay the second half 'otherwise wee shall proceed to levy the same by way of Sequestration', 9 July 1654, Stanning, *Composition Papers*, p. 218.

<sup>114</sup> AN 1AP 385/9; Witt-Guizot, *Lady of Latham*, pp. 219-20.

<sup>115</sup> AN 1AP 385/27.

<sup>116</sup> AN 1AP386/9, 1AP 385/19.

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<sup>117</sup> Habakkuk, 'Landowners', p. 138.

<sup>118</sup> The eldest daughter (Henrietta-)Mary was bequeathed £12,000. Catherine and Amalia were to receive £10,000 each. LRO DDK 12/1.

<sup>119</sup> The will was to be implemented by 'my noble friends Earle of Arundell and Francis Lord Cottington', two prominent Royalists who were presumably rather powerless during the Interregnum. LRO DDK 12/1.

<sup>120</sup> AN 1AP 384/103, Charlotte to Marie de La Tour, 6 Aug. 1652; Witt-Guizot, *Lady of Latham*, pp. 210-11.

<sup>121</sup> Rachel Newport to Sir R. Leveson, 20 July 1652, quoted by G. E. Cokayne, *Complete Peerage*, 13 vols. (Gloucester: Alan Sutton, 1910-1953), 'Pierrepont'.

<sup>122</sup> AN 1AP 384/104, Charlotte to Marie de La Tour, 4 Dec. 1652. According to the *DNB*, the Marquess was known for his rash temper, bad language and outbursts of violence, which he had displayed since the 1630s; *Dictionary of National Biography on CD-Rom* (Oxford: Oxford University Press, 1995), 'Pierrepont'.

<sup>123</sup> AN 1AP 385/4, Charlotte to Marie de La Tour, 12 Mar. 1655.

<sup>124</sup> AN 1AP 385/19, Charlotte to Marie de La Tour, 17 July 1657.

<sup>125</sup> Amalia's son John was created first Duke of Atholl by Queen Anne. Neither Mary nor Catherine Stanley had any male heirs.

<sup>126</sup> Witt-Guizot, *Lady of Latham*, pp. 228-9, Charlotte to Marie de La Tour, 5 Apr. 1659: '[Amalia] is so obedient and gentle that I know she will do what I wish; but I desire nothing that she disliked'.

<sup>127</sup> Both Dorchester and Strafford had royalist connections, but were not actively fighting the Commonwealth regime. Dorchester became a 'delinquent' by sitting in the Oxford Parliament; he compounded in 1647 for £7,467, and was admitted to Gray's Inn in 1651. Strafford was sixteen when his father was executed and spent the Civil War in exile. He took the oath of abjuration at his return in 1652. Atholl, on the other hand, joined the King's Standard with two thousand men in 1653 and thus remained *persona non grata*; *Complete Peerage*, 'Dorchester', 'Strafford', 'Atholl'.

<sup>128</sup> Manx Museum Library (MML), DDK 1716/17.

<sup>129</sup> In 1607, the Isle of Man was deemed to be 'noe parcell of the Realme of England' and, following the 1523 precedent, was allocated as dower; Coward, *The Stanleys*, p. 48. Elizabeth de Vere, Countess of Derby bequeathed in her testament 'the years remaining yet of my lease of the Isle of Man towards payeing my debts'; PRO Probate 11/211 f<sup>o</sup>121-1, signed 19.2.1627.

<sup>130</sup> AN 1AP 385/52, Charlotte to Marie de La Tour, 14 Mar. 1661; *JL* xi. 34 (23 May 1660).

<sup>131</sup> MML DDK12/21 (6 June 1660); DDK 12/11 (3 Sept. 1661); *JL* xi. 54 (6 June 1660) and 57 (8 June 1660).

<sup>132</sup> MML DDK 1716/17.

<sup>133</sup> See Staves, *Married Women's Separate Property*, p. 203.