

Sir Robert Shirley and the English Revolution in Leicestershire

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*In the year 1653
when all things Sacred were throughout ye nation
Either demolisht or profaned
Sir Robert Shirley, Barronet,
Founded this Church;
Whose singular praise it is
to have done the best things in ye worst times,
and
hoped them in the most callamitous
The righteous shall be had in everlasting remembrance.*

This inscription is to be found over the west door of Staunton Harold Church and is probably the most widely known and obvious example of Shirley's devotion to the Church of England, a devotion which was inseparable from his Royalism.

It is usually stated, following Nichols, that Shirley's last imprisonment in the Tower, was the result of his Church building activities in defiance of Cromwell's Puritanism. However, on closer investigation this is not the whole truth. As the above inscription testifies, the Church was begun in 1653, whereas Shirley's final imprisonment began in June 1655, two years after the Church was begun. Either the authorities were unaware that a large Anglican Church was being built on the estate of a man who was already suspected of involvement in the Royalist movement, which is unlikely; or his arrest in June 1655 was not primarily concerned with the Church. The idea that the building of the Church might not in itself have been the cause of Shirley's imprisonment is strengthened when the religious policy of Parliament and the Commonwealth is considered. The Parliamentary attitude to the Church of England was always ambivalent; on the one hand the logic of Puritanism led to the Root and Branch Petition and the growth of Independency. Yet on the other hand it was not until 1646 that Parliament authorised the establishment of a thorough Presbyterian system, which failed to materialise in practice, and Cromwell's belief in religious toleration meant that Episcopalians such as John Evelyn could always find worship to his taste when he visited London. One of the few constants which emerges from the religious policy of Parliament and the Commonwealth is that there was generally a wide measure of toleration as long as that toleration was not a threat to the regime or the state. It is for this reason that the building of Staunton Harold Church contributed to Shirley's final imprisonment without being the major cause, because it was a clear indication, a political statement of his opposition to the Commonwealth regime. It is thus a monument not only to Shirley's Royalism, but also to an age when religious allegiance and political

allegiance were absolutely intertwined.

Sir Robert Shirley was seventeen when he succeeded his brother Charles as the fourth Baronet Shirley in 1646. Apart from Staunton Harold the Shirley lands included Chartley in Staffordshire and seven other manors in Leicestershire, Warwickshire and Derbyshire, providing an income of approximately £5000 p.a. principally from rents and mining. Thus Shirley inherited the position of a wealthy country gentleman. His immediate ancestors had been marked by their Roman Catholicism. It had been Shirley's father, Sir Henry Shirley who had finally broken the recusant link, although he was attended by a priest on his death bed in 1633. Both Charles and Robert were brought up by their mother as Anglicans, although it is interesting to speculate to what extent Catholicism still influenced the Shirleys after Sir Henry's death. Perhaps this was one of the factors which encouraged Robert Shirley to embrace Laudian Anglicanism, the nearest Protestant equivalent to Roman Catholicism, and such a 'Catholic survival' may have contributed to his Royalism.

The Staunton Harold estate had emerged virtually unscathed from the first Civil War. Sir Charles Shirley appears to have been of a retiring disposition, he never married and died young. Nichols mentions that he was assessed for the 1/5 and 1/20 tax in 1646, but apart from that, the Civil War appears to have passed him by. This reveals something of the nature of seventeenth century warfare in that Staunton Harold is adjacent to Ashby de la Zouch which was one of the main Royalist strongholds in the East Midlands after Newark, and stands just off the main road to Nottingham. Staunton was also in the area Martyn Bennett, in his article on Henry Hastings, identified as a Royalist 'bridge' consisting of the strong parts of Ashby, Belvoir Castle and Newark which linked the Royalist forces in Wales and the south-west to those in York and the east coast ports.¹ As such it was in an area of major strategic importance which saw a great deal of fighting. Staunton Harold is at the western end of this bridge and for those brought up in an era of total war it is hard to imagine an estate so close to the fighting remaining virtually untouched by it. However, Everitt has argued that one of the major features of the Civil War was that, put simply, it affected only those areas which were directly involved in the fighting. This does not minimise the disastrous effects of war on those unfortunate enough to find themselves involved in it; such as William Sumner, a Leicester tailor, who, during the assault on Leicester in 1645, lost his house, his trees, most of his goods, whose son was killed in the fighting and whose wife was reported to have been 'distracted ever since'.² But as Everitt said:

'The recurrent problems of harvest failure, and the malnutrition and disease that often followed in its wake, were, for most English people, more serious and more persistent than the tragic but temporary upheaval of the Civil War.'³

Thus Staunton Harold escaped virtually unscathed due to its position and the character of Sir Charles Shirley who did not draw attention to himself. However, his brother Robert was of a totally different character. If he had remained quietly at Staunton Harold like Charles he would probably have been able to survive the Commonwealth without too much interference. But given his High Church views, his family tradition of religious nonconformity, his character and the unsettled nature of the times, such a course of action was highly unlikely.

In the ten years between 1646 and his death in 1656, Sir Robert Shirley was a constant source of irritation to the Parliamentary and Commonwealth authorities. In 1648 he was involved in a fight before Ashby Castle which was then in Parliamentary hands. In 1650 he was imprisoned in the Tower after being provoked by an agent provocateur and his estates were sequestered. Two years later he was defending himself before the Council of State having been denounced by some of his tenantry as a malignant Royalist landlord, and

after that he appears as one of the leaders of the Royalist underground in the East Midlands. Which, it is suggested, was the principal reason for his second imprisonment and death in the Tower in 1656, rather than his building of Staunton Harold Church.

At first sight the affray Shirley was engaged in in Ashby during May 1648 was rather a non-event, and the charge presented to the County Committee in Leicester gives the impression that the prosecuting authorities did not really know what to make of the affair.⁴ It begins by giving the impression of a drunken brawl outside Ashby Castle between Shirley, his men, 'some malignants' and the soldiers of the garrison. It then charges that Shirley was the leader of a Royalist troop with his own cornet, and that after being taken to Leicester under escort Shirley is accused of plotting with other Royalist prisoners to reopen hostilities. The prosecution never seemed to decide whether Shirley was a drunken brawler or a member of the Royalist underground.

Shirley's reply to this charge is, on the surface, a reasonable explanation of what occurred, he admitted that he was in Ashby and that some of his men quarrelled with members of the Ashby garrison. He denied that he challenged the guards and said that Mr Bainbridge, the governor, did not have to come out to pacify a 'tumult'. He also claimed that Bainbridge had accepted his apologies for the behaviour of his servants. He denied emphatically that he led a troop of horse and to the accusation that he was hoarding guns at Staunton Harold claimed that there were only about six guns there.

Shirley's reply is a complete denial of the charge. He claimed that the charge was based on a misrepresentation of what had happened in front of Abbey Castle, and of his testimony about the hoarding of arms which, he claimed, he had said in a state of confusion to common soldiers. But Shirley was playing a dangerous game. If he was innocent as he claimed, then he was an unfortunate victim of the tense aftermath of the Civil War. But his subsequent Royalist career, his defiance of Parliament and his Laudianism, suggest that Shirley may not have been quite the innocent victim he tried to present himself to be. 1648 witnessed revolts in Kent, Essex, Glamorgan and a Scottish invasion; it saw the culmination of the long search for a settlement with the King, the continued rivalry between the army and the majority of Parliament and the growth of radicalism in the Leveller and Digger movements. The situation did not favour calm and reasoned deliberation with suspected Royalists, such as Shirley, who appeared to be a threat.

Unfortunately the conclusion to Shirley's case before the County Committee is not available, but it would appear that no action was taken against him. He certainly was not sequestered; that had to wait until May 1650 when a series of warrants and orders issued forth from the Committees for Sequestration and Compounding to confiscate the Shirley estates. Shirley had on this occasion incriminated himself. He had been persuaded along with a group of Staffordshire gentry, to sign a document denouncing the execution of Charles I and the government of the Rump. This document was laid before the authorities at the end of April 1650 and on May 5th an order arrived from the Council of State that having received the names of 'high delinquents' it authorised the various Committees for Sequestration in all the counties in which these 'delinquents' owned land to 'inventory and secure all their estates'.⁵ The list which was affixed to the order gave the names of eight Leicestershire 'high delinquents' who were to be proceeded against. They included, apart from Shirley, Lord Beaumont of Grace Dieu, Sir Richard Halford and three other Halfords, George, Andrew and Matthew.

On the same day, May 5th, the Leicestershire Committee for Sequestration issued an order to the bailiffs of the Shirley estates that all rents, uses and profits from the estates in Leicestershire were forthwith to be held. Five days later a warrant arrived in Stafford from the Committee for Compounding which gave details of the levels of composition

imposed on certain Staffordshire ‘malignants’, at the bottom of this document, almost as a postscript, appears the following:

‘Sir Robert Shirley and Mr [] you are to sequester their estates well and personall by order of the Council of State.’⁶

Whether this was to save time having to write out a separate sequestration order, or whether the sequestration of these lands was a matter of urgency is not known. However it does demonstrate that the authorities were determined to confiscate all Shirley’s estates which suggests that they regarded him as a potential threat which had to be neutralised.

Whilst the County Committees were dividing up his lands, Shirley sat in the Tower writing petitions to the Council of State. The exact date of Shirley’s committal to the Tower is not known, although as the first petition is dated May 29th and the sequestration documents were issued at the beginning of May it is probable that Shirley as imprisoned at the same time. Shirley wrote to Anthony Atkinson his steward, who it would appear had gone with him to London, telling him to draw up a petition to be presented to John Bradshaw the Lord President of the Council of State, asking him to grant Shirley the liberty of the Tower, as he appears to have been closely confined, and the use of his servant, William Drinkwater.⁷

That his requests were granted is demonstrated by the second petition dated July 10th, wherein Shirley expresses his gratitude. He then goes on to explain that he has many outstanding debts, some of which were his father’s and elder brother’s. Shirley also claimed that he was required to pay a £200 surcharge on his inheritance from the Earl of Essex even though that was ‘£200 per annum more than the fame is worth at present.’⁶ Unfortunately, because the Council of State had ordered the sequestration of his estates:

‘your petitioner... is altogether disabled to satisfy his creditors, many whereof will fall into inevitable ruin if not time prevented by payment, and likewise is altogether unprovided for a present livelihood for himself, wife, children and family.’⁹

In view of this Shirley suggested that the warrants of sequestration on his estates should be lifted so that he could pay his debts and provide for his family.

Shirley did not ask to be released in these petitions, only that his estates might be freed so that he could meet his obligations. The image that arises at this time is of a sensible, intelligent man; certainly the series of petitions sent to the Council of State are subtle enough to be worthy of an experienced lawyer. He was careful never to overpress his claims and had written to Atkinson in May that in drawing up the petition he was to ‘put nothing...but what is fitting for me to ask and reasonable for them to grant, but be sure it be done with all civility’.¹⁰ The first petition was concerned to improve his material comfort, the second built upon this by asking for help with his debts, but carefully mentioned nothing about release; that was left to the third petition.

This is dated September 11th 1650 and begins with a reference to the fact that Shirley had been called before the Council of State to answer charges arising from his signature of the agent provocateur’s document, but that nothing had been proved against him to warrant his continued imprisonment. He then returns to the problem of his debts which, he claimed, must be paid by next Michaelmas.

‘on great forfeitures which, if not performed by your petitioner will cause the utter ruin of your petitioners fortune and reputation.’¹¹

In view of the fact that nothing was proved against him and the allegedly urgent nature of his finances, Shirley asked the Council of State to release him ‘on good sureties.’¹²

On the original document, beside Shirley’s petition, someone wrote ‘desires his liberty’ which was a trenchant summary of Shirley’s objective. Unfortunately the Council of State were slow in considering Shirley’s plight as nearly a month later he sent them his fourth

petition and in it he changed his tactics. Instead of emphasising his own financial problems, particularly as Michaelmas (September 29th) had passed without the predicted ruin of his reputation and fortune, he tried to suggest that his continued imprisonment was preventing him from fulfilling his duty to the new Commonwealth. He begins by mildly rebuking the Council of State for keeping him confined after it had examined his case and found no grounds for the charge of 'high delinquency'. Shirley argues that his imprisonment is no longer necessary as his 'conformity to the present government'¹³ has been demonstrated. To underline how his imprisonment was interfering with this 'conformity', he then reminds the Council that he is required to find 13 horses and arm them adequately for the militia; to do this he asked for the lifting of the sequestration order. It is only after this that he again mentions his debts which must now be paid within fourteen days of Michaelmas, and as the petition is dated October 5th it was obviously an attempt to speed up the Council's deliberations.

According to Nichols this petition appears to have been successful, Shirley was released on two securities of £5000 each and the sequestration orders on his estates were lifted. Unfortunately the sources only record Shirley's view of the proceedings and it is an assumption which cannot be proven that the Council of State decided to release him and restore his lands just on the strength of his petitions, however skilfully written, and his willingness to provide the securities. Looking back on it now it seems strange that somebody as determined in his Royalism as Shirley should have been released and had his lands restored. But that is to look at the situation with the benefit of hindsight. In 1650 Shirley's Royalist activities had been confined to the affray at Ashby two years earlier, which as we have seen he claimed was all quite innocent. The building of the Church, his most spectacular act of 'delinquency' and his close involvement in the Royalist movement were still in the future. Perhaps the Council believed Shirley's protestations of loyalty to the new regime and thought that after six months in the Tower he had been frightened into acquiescence.

After his release Shirley appeared to live the life of a country gentleman in the seclusion of Staunton Harold. For the next two years the sources are silent as regards clashes with the Commonwealth authorities. The documents that do survive are concerned with local matters, rents, leases etc; in other words life appeared to be returning to some semblance of normality. However, this impression of normality was largely a facade which hid the fact that Shirley was gradually becoming more deeply involved with the Royalist underground.

Immediately after Charles I was executed in January 1649, proclamations were posted up around London proclaiming his son as Charles II. They were hastily removed by the authorities but they marked the beginning of eleven years of attempts by the Royalists to overthrow the Republican regime. The first thing that should be noted about this Royalist conspiracy is that it was a complete failure. When Charles II was eventually restored in 1660 it was the result of the breakdown of the Commonwealth after Cromwell's death rather than the strength of the Royalists. Indeed if Charles had been forced to rely solely on the efforts of the Royalist conspirators it is doubtful whether he would ever have been restored. The active Royalists were an isolated group who were free from the economic restraints of sequestration and composition.

Their exclusive Anglicanism only served to isolate them further, and yet their social position failed to produce any cohesion amongst themselves. They were dogged by a woeful lack of organisation and dissipated their energy and resources on internal disputes. Even after the formation of the Sealed Knot in 1653, the situation did not improve and the Knot was totally incapable of organising any effective or co-ordinated resistance to the government, as was demonstrated during Penruddock's Rising.

However, in 1652 Shirley's problems were of a more immediate nature when he was summoned to appear before the Council of State on December 10th, 'att 2 o'clock in the afternoon,'¹⁴ to answer allegations brought by nine of his tenants that he was victimising them because of their pro-parliamentary views. The petitioners included two families, the Morleys of Brailsford, namely Thomas, Edward and John; and William, Edward and John Mosley, as well as Thomas Hurd of Ednaston, Richard Oliver and John Lyon of Shirley in Derbyshire. They all claimed to be tenants of Shirley who, apart from improving their farms and regularly paying their rents, had been loyal supporters of the Parliament and who were now being victimised by Shirley because of it. He had, so they claimed, let their lands to other Royalists, thus Richard Oliver rented a messuage and enclosed land from a Parliamentary captain for £32 p.a. and about 300 acres from Shirley, all of which he claimed had been taken from him.¹⁵ The same accusation came from the Mosleys. They had, according to their petition, been willing to pay the fine¹⁶ and rents due on their lands, but that:

'notwithstandinge it was lett over his head and that the said Sir Rob'ts Commissioners or some of them declared that they would not sett or suffer any that acted for the parliament to live upon that land.'¹⁷

John Lyons' petition accused Shirley of breaking a bargain and extortion, he said that Sir Robert 'caused him to pay his father in law £15', which was a great burden to him. Then he alleges that he agreed with Shirley to rent another farm for £8 p.a. and the fine. He claimed it was agreed that he should pay the fine within two weeks, after which his lease would be sealed, but before that happened Shirley had let the farm to another and refused to honour his bargain.

This was a dangerous time for Shirley. He was already suspect, had spent six months in the Tower and was gambling with £10,000 worth of securities. He undoubtedly knew that the Council of State would not take kindly to Royalist landlords evicting and 'oppressing' those who had supported, or in the case of Thomas Hurd, fought for the Parliamentary cause. So he tried to defuse the situation by demonstrating that the petitioners were either unreliable or motivated by greed. Thus he said that John Lyon was a beggar and owed a great deal of money and that instead of Shirley extracting £15 from Lyon, he had borrowed £15 from Shirley's father in law and now refused to pay it back. Not only that but he had been flogged at Shirley in Derbyshire for non-payment of debts and, to cap it all, 'he is sometimes said to be out of his witts.'¹⁸ He accused the Mosleys and Morleys of being in league to take advantage of him by denouncing him as a malignant landlord. His aim was to show that petitions came from those who either held a grudge against him or owed him money, in other words the petitioners were all people who would benefit from Shirley's removal.

Unfortunately there is no record of the outcome of this dispute, but as Shirley was back the next year at Staunton Harold building his Church the penalties against him, even if the accusations were upheld, cannot have been severe. But 1653 saw not only the beginning of the Church, but also his deepening involvement in Royalist conspiracy.

The Sealed Knot was set up during 1653 supposedly to co-ordinate the Royalist resistance movement and it is reasonable to assume that Shirley knew of its formation, particularly as one of the founders was Henry Hastings, Lord Loughborough. In 1654 Shirley was heavily involved as a recipient of smuggled arms and one of his agents, Rowland Thomas, was the main assistant to Henry Norwood who used his business connections with Virginia to buy arms for the Royalists.¹⁹ Shirley appears to have been the main co-ordinator of Royalist activities in the East Midlands before Penruddock's Rising; he corresponded with the emigres, and Daniel O'Neill, Charles II's 'observer' in England wrote to Charles that

a 'good example' could be expected from Shirley. It was also reported to Thurloe, Cromwell's Intelligence Chief, that Shirley:

'undertooke for horse and food and had contributed of his fortune.'²⁰

Rowland Thomas was at Staunton Harold in December 1654, when Steward Atkinson's accounts reveal that there were many other guests, as there were the following March the month of Penruddock's Rising. In the previous December Rowland Thomas had sent arms to Mr Lovett, one of Shirley's tenants. It was obviously the preparations for the March rising in which, had they been successful, Shirley would have taken a leading part in the East Midlands. He had also been at a meeting in an ale-house at Betley, Staffordshire where the taking of Chester had been discussed.

Unfortunately the planned rising was a complete disaster. Only in Wiltshire did John Penruddock have some initial success before being cornered by the Protector's forces, captured and executed.²¹ In the East Midlands nothing happened; after a decade of war and disruption the majority only wanted peace and security and were not prepared to follow the Royalist gentry into more fighting. The direct result of Penruddock's Rising was the division of the country into twelve districts and the appointment of the Major-Generals whose primary tasks were to collect taxes and root out conspiracy. For the Royalist gentry it was a time of renewed persecution and June 1654 Shirley was back in the Tower for his part in the Royalist underground and the March rising.

One of the major handicaps the Royalists faced was their lack of money. Those who were involved in the underground had suffered fines and sequestration and those who still retained their lands and incomes did not want to endanger them by getting involved. William Rumbold, Charles' financial agent, was in the Tower. James Halsall was sent as a replacement but he too was arrested. Then Shirley was appointed financial agent, for although he was in the Tower he was wealthy, with good connections, very enthusiastic and his imprisonment does not appear to have been particularly close. Unfortunately by July 1656 he had only raised £60.²² The Royalist underground was still in a dire financial state.

With the failure of Penruddock's Rising many turned to the idea of assassinating Cromwell and there were many reports from Thurloe's agents of plots against the Protector. One Mr Greaves reported that Shirley and other East Midlands gentry planned to blow up Cromwell, this being the signal for a general uprising.²³ But as agents were paid only when they uncovered a plot it is probable that most of them were fictitious. In Cologne, Charles was concocting a more ambitious plan. The Royalists had never been able to gain the help of any continental powers until Charles signed an alliance with Spain which promised Spanish support on condition that the Royalists in England could capture a port where the invading army could land. The theory was that when the people saw that Charles' cause could succeed they would rise and sweep Cromwell away. It was an ambitious plan and naturally it was never put into effect. The Spanish became less enthusiastic when Admiral Stayner destroyed one of their treasure-fleets in December 1656 and the majority of Royalists in England were distinguished by nothing but apathy. As Hyde wrote despondently at the time:

'If the King should land tomorrow...he will be overpowered as he was at Worcester, whilst all men sit still, and look for the effect of the first battle.'²⁴

But Charles' was not the only plan which emerged after March 1655, there were many being put forward most of which were totally unrealistic. Shirley, in a series of letters written between January and November 1656, at least showed more awareness than most of the cause of the Royalist failure, even if his proposals for reorganisation were impractical.

He drew two major conclusions, the first was that the Royalist defeat had been caused primarily by indiscipline. His second conclusion was that the Royalist cause must identify

itself totally with the Anglican Church which was to become the foundation of a remodelled Royalist party with the Bishops as leaders and the local clergy, grouped into associations, as agents. He pointed to the Roman Catholics and the Independents as examples of groups who used religious institutions as the foundations of political action and compared it to the Royalist party where 'we only lost by ourselves, each man to shift for himself.'²⁵ Unfortunately the Church of England would not have been able to cope with the responsibilities Shirley mapped out for it. The majority of the clergy simply retired from controversy. There were exceptions such as Beaumont and John Hewett both of whom were executed for their Royalist activities, some even changed sides such as Francis Corker who became one of Thurloe's spies. But the majority such as Gilbert Sheldon and William Sancroft, slipped quietly into the background and remained in obscurity until times changed.

Shirley soon realised that the Church of England was not to provide the basis of his revitalised Royalist party. Only two Bishops offered their support and apart from his Chaplain, John Heavers, he only appears to have enlisted the active support of two London clergymen. Disappointed by this, Shirley's plans changed. Instead of relying on the Church, in October 1656 he began to advocate the creation of a lay committee to organise a new resistance. This was in effect a plan to reform the Sealed Knot which had fallen apart after the March rising. However, conscious of the weakness of the old Knot, Shirley proposed that the Committee should be appointed by the King and was to consist only of loyal members who would obey orders, take a solemn oath and submit to 'a severe book of marshall discipline.'²⁶

But outside the Tower the Sealed Knot was reforming itself under Edward Villiers and Sir Richard Willys without Shirley's guidance. Willys was in London in the summer of 1656 until September 2nd when a new clamp down on Royalists forced Willys to leave and Shirley, who had been out on bail, began his last imprisonment in the Tower. In October the reformed Sealed Knot issued new commissions, Shirley was approached and asked to be allowed time to consider his reply but before he could give them his answer he contracted smallpox and died, age twenty-six, on November 6, 1656.

William Rumbold, who was still in the Tower, wrote that Shirley's death caused him 'unspeakable grief,'²⁷ and when the news was brought to the King, Hyde wrote that the 'losse at this tyme cannot be repayed.'²⁸ In his will, which he made in 1654, Shirley's son Seymour became his heir and money was set aside to complete the building and furnishing of Staunton Harold Church. He left various legacies, one to Gilbert Sheldon the future Archbishop of Canterbury, and another which provided for the distribution of the profits from his tithes, impropriations and church lands amongst 'orthodox and distressed clergymen'. His body was brought back to Breedon Church where it lay before being buried in a vault before the altar of the Church he had commissioned and which was to become his memorial.

We have returned to where we began, with Staunton Harold Church. Shirley conceived it as a visible demonstration of the way in which the Royalist cause had become identified with Laudian Anglicanism and the Book of Common Prayer. Shirley would probably have needed little encouragement in such views. He was brought up in a family with strong Roman Catholic connections and he appears to have maintained contacts with the High Church community of Little Gidding; the ladies of Little Gidding embroidered the cover of Shirley's bible and probably worked the altar cloth in the Church.

Throughout the Commonwealth period Staunton Harold was a refuge for Anglican clergymen who had either left their livings because they refused to accommodate

themselves to the new regime, or had been forcibly ejected. He sheltered future dignitaries of the Restoration Church such as Sheldon, Henry Hammond, Peter Gunning and Dr Robert Mapletoft later Dean and Bishop of Ely respectively, as well as William Pestell who was vicar of Coleorton and had been ejected in 1654. Pestell officiated at Staunton Harold and was paid £20 p.a. for doing so.²⁹ Staunton Harold Church is a fine example of a 'Gothic Survival', built throughout in a late perpendicular style. It reveals the high standards skilled local craftsmen could work to, particularly in the painted ceiling in the nave, executed by the Leicestershire brothers Zachary and Samuel Kyrk, and the fine wooden fittings, these being the work of a local joiner William Smith. Smith worked at Staunton between about 1655 and 1667, thus in 1662 he was paid £74.18s for the Communion table and for boarding fifty-four seats and the pulpit; he also made the wooden canopy for the font and a desk under the pulpit for which he was paid £1.19s. But his major works were panelling the walls and pillars, and the organ loft which is a clear indication of the sophistication of local craftsmen as it is executed in the best Jacobean style.

Although very few of the architects have been identified, a local stonemason named Goodyer Holt does appear frequently in the accounts. Holt appears to have been responsible for the environs of the Church, thus he was paid £6.18s.8d in 1661 for bricks, stone, lime and workman's wages. The following year he received £31 for the 'Church Vault', but his main concern appears to have been outside the Church, providing the building materials, organising the workforce, building the Churchyard wall, all of which came to the princely sum of £155.3s.2d. in 1662. His other duties included pointing the walls for the painter, 'hewing and laying'³⁰ a path from the Church door to the Churchyard gate and setting up the ornate surround around the west door which contains Shirley's dedication. This task included 1s. paid to someone to stand guard over the Church at night before the doors were finally put into place.

The building of the Church presents a fascinating insight into the workings of local craftsmen away from the fashionable centres and it indicates the skill of Smith, Holt, the Kyrk brothers and their like who spent ten or fifteen years working on Shirley's Church. On a wider scale it also demonstrates that the Shirley estates did not suffer to any great extent during the Commonwealth, even though he was a known Royalist, and even though the estates were sequestered in 1650 and Shirley was fined on numerous occasions. The accounts for the four years between 1656 and 1660 suggest that the estates were being smoothly administered. Lady Shirley was provided with £260 p.a. for her own and her children's maintenance and Seymour appears to have been recognised as the fifth Baronet Shirley from the moment of his father's death. Then there is the obvious fact that the Church continued to be built and furnished throughout the 1650s and that Pestell continued to read the Prayer Book service, which suggests that even when the relative isolation of Staunton Harold is taken into account, the ban on 'prelatism' as distinct from Anglicanism was not rigorously enforced.

When looked at as a whole Sir Robert Shirley's life was in one sense a failure. He backed the losing side in the Civil War and died at a time when any possibility of a Restoration appeared to be very remote. His fight in front of Ashby Castle was easily crushed, he was tricked into signing an incriminating document which resulted in six months in the Tower, he was denounced by some of his tenants, the planned rising of 1655, in which he was involved, failed and resulted in his final imprisonment. Even his plans for a remodelled Royalist party were not acted upon. However when the Shirleys are brought into focus as actual people who were part of this much used but nebulous group called 'the gentry', one of the first things worthy of note is the survival of Roman Catholicism amongst his immediate ancestors. But it was a Catholicism of what might be called a relaxed kind.

Francis Shirley appears to have been devout, whereas his grandson Sir John Shirley does not appear to have been particularly concerned to maintain the recusant link. The Shirleys were a family where Catholicism was an influence rather than a passion, an influence which stemmed more from Francis Shirley's conservatism rather than any deep recusant conviction. However it is interesting to observe the way in which Roman Catholicism was transmuted into Laudian Anglicanism, the main influence on Shirley's career, as it was primarily his religion which put him firmly in the Royalist camp.

As such Shirley epitomises many of the features of the Royalist party during the Commonwealth and some of its failings. He was one of the 'new' Royalists, in other words he had not fought in the first Civil War and the Royalist party was rent by differences between the 'old' and the 'new' Royalists as well as personality clashes and a complete lack of discipline and organisation. But the main characteristic of the Royalists in the 1650s, which Shirley represented, was their isolation. His devotion to Anglicanism and the Prayer Book was part of a general movement amongst the Royalist gentry, which goes some way to explaining the ferocity of the Clarendon Code when they again had the upper hand after 1662. But in the 1650s their social position and their religion made them a very tightly-knit, introverted group, unable to gauge the mood in the country and thus unable to exploit other groups who were in opposition to the Protectorate, such as the Scots; or those who were growing increasingly tired of the Protector's rule, such as the Presbyterians. This exaggerated identification of Royalism with Laudian Anglicanism was a major handicap for the Royalists, quite apart from their lack of foreign support and shortage, at times total absence, of adequate organisation.

Shirley, to his credit, realised the disastrous results of this lack of organisation and discipline, as is evidenced by his plans written from the Tower, and tried to exploit the links with the Church of England as the basis for a remodelled Royalist party. This was to be defeated by the Church itself which was unsuited both by tradition and belief for rigorous independent action. But in politics and religion Shirley's life and the Church he built demonstrate that Laudianism survived Laud's death. In fact Laudianism became one of the main influences on the Royalist party in the 1650s, particularly on the younger Royalists such as Shirley, who had not witnessed Laudianism in its heyday during the 1630s and the opposition which it provoked. For these younger Royalists it offered a tailor-made ideology of Throne and Altar, which presented something stately, ceremonious, and worth fighting for against what was seen as the tawdry, drab, power-hungry usurpers who in pursuit of office and profit would tear down the stately edifice which kept chaos at bay. Sir Robert Shirley was a cavalier; brave, reckless, High Church and devoted to serving his King. Yet he failed, and the Church he built is in some ways a testimony to his failure, both to achieve his ideals and of the ideals themselves which would never be successfully implemented after 1660. But for all that his failure is more interesting and admirable than the successes of many of his contemporaries.

Notes

- 1 Bennet, M, 'Henry Hastings and the Flying Army of Ashby de la Zouch', *Transactions of the Leicestershire Archaeological and Historical Society*, LVI 1980-81, pp.62-70
- 2 Simmons, J., *Leicester: Past and Present. Vol I* (Eyre Methuen, 1974) 91
- 3 Everitt, A.M., *The Local Community and the Great Rebellion* (Historical Association, 1969)
- 4 Leicestershire County Record Office (L.C.R.O.) 26D53-1866. The Charge against Shirley
- 5 L.C.R.O. 26D53-1882. Seizure of estates of High Delinquents in Leicestershire

- 6 L.C.R.O. 26D53-1883. Warrant from Committee for Compounding concerning estates in Staffordshire
- 7 L.C.R.O. 26D53-1870. Petition. Shirley to Council of State 29.5.1650
- 8 L.C.R.O. 26D53-1871. Petition. Shirley to Council of State 10.7.1650
- 9 *Ibid.*
- 10 Nichols, J., *The History and Antiquities of the County of Leicestershire* (London, 1804) II, Part 2, 713
- 11 L.C.R.O. 26D53-1873. Petition. Shirley to Council of State 11.9.1650
- 12 *Ibid.*
- 13 L.C.R.O. 26D53-1875. Petition. Shirley to Council of State. 5.10.1650
- 14 L.C.R.O. 26D53-1890. Summary of evidence before Council of State
- 15 L.C.R.O. 26D53-1888. Petition. Richard Oliver to Council of State
- 16 A fine was a sum of money paid to the landlord by incoming tenants to cover small rents
- 17 L.C.R.O. 26D53-1890. Summary of evidence before Council of State
- 18 *Ibid.*
- 19 Underdown, D., *Royalist Conspiracy in England 1649-1660* (Archon Books, 1971) 130
- 20 *Ibid.*
- 21 Woolrych, A.H., *Penruddock's Rising*. Historical Association, 1955)
- 22 *op. cit.* 171
- 23 *Ibid.* 171
- 24 *Ibid.* 180
- 25 *Ibid.* 182
- 26 *Ibid.* 184
- 27 *Ibid.* 189
- 28 *Ibid.* 189
- 29 L.C.R.O. 26D53-6061 Account book for Shirley estates, 1657-1667. Including expenditure on Staunton Harold Church
- 30 *Ibid.*