

TRIAL OF KING CHARLES

FACTS:

The trial of Charles I lasted for 7 days, from January 20th to 27th.

Charles was in court for the first 3 days and the last day.

On days 4, 5 + 6 the court met without him and heard evidence against Charles.

The President of the court was judge Bradshaw

There were three main points against him:

1. He started the war against Parliament.
2. A soldier who changed sides during the war (from Charles to Parliament) heard the King say that he didn't care how the Parliamentary prisoners were treated.
3. He plotted with Scotland and his son to raise an army to invade England while he was discussing peace with Parliament.

He was executed on January 30th 1649.

CHARACTERS:

CHARLES I – Charles is brought to court for the first three days. When asked how he pleads he says that the court has no power to put him on trial and refuses to answer.

Charles returns to court on the last day of the trial and asks to have peace talks with Parliament. This is refused. He also asks to make a statement to the court. This is also refused.

JUDGE BRADSHAW (PRESIDENT OF THE COURT)

On the first three days Bradshaw asks the King to plead guilty or not guilty to the charge of treason.

He listens to the evidence of the witnesses.

He passes sentence on Charles, saying that he is guilty of treason and shall have his head cut off.

WITNESSES

Say that they saw Charles raise his standard in 1642 that starts the war.

A soldier says how Charles did not care what happened to prisoners and said that they were his enemies.

A servant woman says that Charles asked her to deliver a letter in secret. She says that she gave it to her husband who passed it to Parliament. She produces the letter.

CLERK TO THE COURT

Calls the court to order.

On first three days calls Charles into court.

Calls the witnesses into court.

EXECUTIONER

Cuts off Charles' head at 2pm on January 30th 1649.

King Charles I's Speech at his Trial

January, 1649

I would know by what power I am called hither ... I would know by what authority, I mean *lawful*; there are many unlawful authorities in the world; thieves and robbers by the high-ways ... Remember, I am your King, your *lawful* King, and what sins you bring upon your heads, and the judgement of God upon this land. Think well upon it, I say, think well upon it, before you go further from one sin to a greater ... I have a trust committed to me by God, by old and lawful descent, I will not betray it, to answer a new unlawful authority; therefore resolve me that, and you shall hear more of me.

I do stand more for the liberty of my people, than any here that come to be my pretended judges ... I do not come here as submitting to the Court. I will stand as much for the privilege of the House of Commons, rightly understood, as any man here whatsoever: I see no House of Lords here, that may constitute a Parliament ... Let me see a legal authority warranted by the Word of God, the Scriptures, or warranted by the constitutions of the Kingdom, and I will answer.

It is not a slight thing you are about. I am sworn to keep the peace, by that duty I owe to God and my country; and I will do it to the last breath of my body. And therefore ye shall do well to satisfy, first, God, and then the country, by what authority you do it. If you do it by an usurped authority, you cannot answer it; there is a God in Heaven, that will call you, and all that give you power, to account.

If it were only my own particular case, I would have satisfied myself with the protestation I made the last time I was here, against the legality of the Court, and that a King cannot be tried by any superior jurisdiction on earth: but it is not my case alone, it is the freedom and the liberty of the people of England; and do you pretend what you will, I stand more for their liberties. For if power without law, may make laws, may alter the fundamental laws of the Kingdom, I do not know what subject he is in England that can be sure of his life, or any thing that he calls his own.

I do not know the forms of law; I do know law and reason, though I am no lawyer professed: but I know as much law as any gentleman in England, and therefore, under favour, I do plead for the liberties of the people of England more than you do; and therefore if I should impose a belief upon any man without reasons given for it, it were unreasonable ... The Commons of England was never a Court of Judicature; I would know how they came to be so.

It was the liberty, freedom, and laws of the subject that ever I took - defended myself with arms. I never took up arms against the people, but for the laws ... For the charge, I value it not a rush. It is the liberty of the people of England that I stand for. For me to acknowledge a new Court that I never heard of before, I that am your King, that should be an example to all the people of England, for to uphold justice, to maintain the old laws, indeed I do not know how to do it.

This many-a-day all things have been taken away from me, but that that I call more dear to me than my life, which is my conscience, and my honour: and if I had a respect to my life more than the peace of the Kingdom, and the liberty of the subject, certainly I should have made a particular defence for my self; for by that at leastwise I might have delayed an ugly sentence, which I believe will pass upon me ... Now, sir, I conceive that an hasty sentence once passed, may sooner be repented of than recalled: and truly, the self-same desire that I have for the peace of the Kingdom, and the liberty of the subject, more than my own particular ends, makes me now at lest desire, before sentence be given, that I may be heard ... before the Lords and Commons ... If I cannot get this liberty, I do protest, that these fair shows of liberty and peace are pure shows and that you will not hear your King."

Judge Bradshaw's Response

There is a contract and a bargain made between the King and his people, and your oath is taken: and certainly, Sir, the bond is reciprocal; for as you are the liege lord, so they liege subjects ... This we know, the one tie, the one bond, is the bond of protection that is due from the sovereign; the other is the bond of subjection that is due from the subject. Sir, if this bond be once broken, farewell sovereignty! ... These things may not be denied, Sir ... Whether you have been, as by your office you ought to be, a protector of England, or the destroyer of England, let all England judge, or all the world, that hath look'd upon it ... You disavow us as a Court; and therefore for you to address yourself to us, not acknowledging us as a Court to judge of what you say, it is not to be permitted. And the truth is, all along, from the first time you were pleased to disavow and disown us, the Court needed not to have heard you one word.