

The Trial and Execution of Charles I

Charles I was the first of our monarchs to be put on trial for treason and it led to his execution. This event is one of the most famous in Stuart England's history – and one of the most controversial. No law could be found in all England's history that dealt with the trial of a monarch so the order setting up the court that was to try Charles was written by a Dutch lawyer called Issac Dorislaus and he based his work on an ancient Roman law which stated that a military body (in this case the government) could legally overthrow a tyrant. The execution of Charles, led to an eleven year gap in the rule of the Stuarts (1649 to 1660) and it witnessed the rise to supreme power of Oliver Cromwell – whose signature can be clearly seen on the death warrant of Charles.

Charles was put on trial in London on **January 1st, 1649**. He was accused of being a

“Tyrant, traitor and murderer; and a public and implacable enemy to the Commonwealth of England.”

He was to be tried by 135 judges who would decide if he was guilty or not. In fact only 68 turned up for the trial. Those that did not were less than happy about being associated with the trial of the king. In fact, there were plenty of MPs (Members of Parliament) in Parliament who did not want to see the king put on trial but in December 1648, these MPs had been stopped from going into Parliament by a Colonel Pride who was helped by some soldiers. The only people allowed into Parliament were those who Cromwell thought supported the trial of the king. This Parliament was known as the “Rump Parliament” and of the 46 men allowed in (who were considered to be supporters of Cromwell), only 26 voted to try the king. Therefore even among those MPs considered loyal to Cromwell, there was no clear support to try Charles.

The Chief Judge was a man called John Bradshaw. He sat as head of the High Court of Justice. He was not one of the original 135 judges but none of the 68 that did turn up wanted to be Chief Judge and the job was given to Bradshaw, who was a lawyer. He knew that putting Charles on trial was not popular and he actually feared for his own life. He had made for himself a special hat which had metal inside it to protect his head against an attack. It was Bradshaw who read out the charge against Charles; that he

“Out of a wicked design to erect and uphold in himself an unlimited and tyrannical power to rule according to his will, and to overthrow the rights and liberties of the people of England.”

The hall where the king was tried was packed with soldiers – to protect the judges or to make sure that the king did not escape? The public was not allowed into the hall until after the charge had been read out. Why would the government do this if their case against Charles was good?

At the trial, Charles refused to defend himself. He did not recognise the legality of the court. He also refused to take off his hat as a sign of respect to the judges who did attend. This seemed to confirm in the minds of the judges that Charles, even when he was on trial for his life, remained arrogant and therefore a danger to others as he could not recognise his own faults.

Bradshaw announced the judgment of the court: that

“He, the said Charles Stuart, as a tyrant, traitor, murderer and public enemy to the good of this nation, shall be put to death by severing of his head from his body.”

When the judgment of the court was announced, Charles finally started to defend himself. He was told that his chance had gone and the king of England was bundled out of the court by the guarding soldiers.

His date of execution was set for January 30th, 1649.

Execution of Charles I

Charles was executed on a Tuesday. It was a cold day. Charles was allowed to go for a last walk in St James's park with his pet dog. His last meal was bread and wine. However, there was a delay in his execution.

The man who was to execute Charles refused to do it. So did others. Very quickly, another man and his assistant was found. They were paid £100 and were allowed to wear masks so that no-one would ever know who they were.

At nearly 2.00 o'clock in the afternoon, Charles was led to the scaffold which was covered in black cloth. He had asked to wear thick underclothes under his shirt as he was very concerned that if he shivered in the cold, the crowd might think that he was scared. Charles gave a last speech to the crowd but very few could hear him. He said:

“I have delivered to my conscience; I pray God you do take those courses that are best for the good of the kingdom and your own salvation.”

It is said that when he was beheaded a large groan went up throughout the crowd. One observer in the crowd described it as “such a groan by the thousands then present, as I never heard before and I desire I may never hear again.”

Even in death, Charles found no dignity. Spectators were allowed to go up to the scaffold and, after paying, dip handkerchiefs in his blood as it was felt that the blood of a king when wiped onto a wound, illness etc. would cure that illness.

On the 6th February, 1649, the monarchy was abolished. Parliament stated that

“the office of the king in this nation is unnecessary, burdensome and dangerous to the liberty, society and public interest of the people.”

What became known as a **Council of State** was set-up instead of the monarchy and Oliver Cromwell was its first chairman.

When Charles II returned to become king of England in 1660, those men who had signed his father's death warrant (and were still alive) were tried as regicides (the murderer of a king) and executed. Anyone associated with the execution of Charles was put on trial. The only people to escape were the executioners as no-one knew who they were as they wore masks during the execution.