

An agreement of the free people of England,  
tendered as a peace-offering to this distressed  
nation, by Lieutenant-Colonel John Lilburne,  
Master William Walwyn, Master Thomas  
Prince and Master Richard Overton, prisoners  
in the Tower of London, 1 May 1649

Matthew 5:9: 'Blessed are the peacemakers for they shall be called  
the children of God.'

A preparative to all sorts of people

If afflictions make men wise and wisdom direct to happiness, then certainly this nation is not far from such a degree thereof as may compare, if not far exceed, any part of the world, having for some years by-past drunk deep of the cup of misery and sorrow. We bless God our consciences are clear from adding affliction to affliction, having ever laboured from the beginning of our public distractions to compose and reconcile them, and should esteem it the crown of all our temporal felicity that yet we might be instrumental in procuring the peace and prosperity of this commonwealth, the land of our nativity. And therefore according to our promise in our late *Manifestation*<sup>1</sup> of 14 April 1649, being persuaded of the necessity and justness thereof as a peace-offering to the free people of this nation, we tender this ensuing Agreement, not knowing any more effectual means to put a final period to all our fears and troubles.

It is a way of settlement, though at first much startled at by some in high authority, yet, according to the nature of truth, it hath made its own way into the understanding and taken root in most men's hearts and affections, so that we have real ground to hope – whatever shall become of us – that our earnest desires and endeavours for good to the people will not altogether be null and frustrate. The life of all things is in the right use and application, which is not our work only, but every man's; conscience must look to itself and not dream out more seasons

<sup>1</sup> Text 11 above.

and opportunities. And this we trust will satisfy all ingenuous people that we are not such wild, irrational, dangerous creatures as we have been aspersed to be – this Agreement being the ultimate end and full scope of all our desires and intentions concerning the government of this nation, and wherein we shall absolutely rest satisfied and acquiesce. Nor did we ever give just cause for any to believe worse of us by anything either said or done by us, and which would not in the least be doubted but that men consider not the interest of those that have so unChristian-like made bold with our good names. But we must bear with men of such interests as are opposite to any part of this Agreement, when neither our Saviour nor his apostles' innocency could stop such men's mouths whose interests their doctrines and practices did extirpate. And therefore if friends at least would but consider what interest men relate to whilst they are telling or whispering their aspersions against us, they would find the reason and save us a great deal of labour in clearing ourselves – it being a remarkable sign of an ill cause when aspersions supply the place of arguments. We bless God that he hath given us time and hearts to bring it to this issue. What further He hath for us to do is yet only known to his wisdom, to whose will and pleasure we shall willingly submit. We have, if we look with the eyes of frailty, enemies like the sons of Anak, but if with the eyes of faith and confidence in a righteous God and a just cause, we see more with us than against us.

From our causeless captivity  
in the Tower of London,  
John Lilburne  
William Walwyn  
Thomas Prince  
Richard Overton

*The Agreement itself then followeth*

After the long and tedious prosecution of a most unnatural, cruel, home-bred war, occasioned by divisions and distempers amongst ourselves – and those distempers arising from the uncertainty of our government and the exercise of an unlimited or arbitrary power by such as have been trusted with supreme and subordinate authority – whereby multitudes of grievances and intolerable oppressions have been brought upon us; and finding after eight years' experience and

expectation, all endeavours hitherto used or remedies hitherto applied to have increased rather than diminished our distractions, and that if not speedily prevented, our falling again into factions and divisions will not only deprive us of the benefit of all those wonderful victories God hath vouchsafed against such as sought our bondage, but expose us first to poverty and misery, and then to be destroyed by foreign enemies; and being earnestly desirous to make a right use of that opportunity God hath given us to make this nation free and happy; to reconcile our differences and beget a perfect amity and friendship once more amongst us, that we may stand clear in our consciences before Almighty God as unbiased by any corrupt interest or particular advantages, and manifest to all the world that our endeavours have not proceeded from malice to the persons of any, or enmity against opinions, but in reference to the peace and prosperity of the commonwealth and for prevention of like distractions and removal of all grievances: we the free people of England, to whom God hath given hearts, means and opportunity to effect the same, do with submission to His wisdom, in His name, and desiring the equity thereof may be to His praise and glory, agree to ascertain our government, to abolish all arbitrary power and to set bounds and limits both to our supreme and all subordinate authority, and remove all known grievances.

And accordingly do declare and publish to all the world that we are agreed as followeth:

1. That the supreme authority of England and the territories therewith incorporate, shall be and reside henceforward in a Representative of the People consisting of four hundred persons, but no more; in the choice of whom (according to natural right) all men of the age of one-and-twenty years and upwards (not being servants, or receiving alms, or having served the late king in arms or voluntary contributions) shall have their voices, and be capable of being elected to that supreme trust – those who served the king being disabled for ten years only. All things concerning the distribution of the said four hundred members proportionable to the respective parts of the nation, the several places for election, the manner of giving and taking of voices, with all circumstances of like nature tending to the completing with equal proceedings in elections, as also their salary, is referred to be settled by this present parliament in such sort as the next Representative may be in a certain capacity to meet with safety at the time herein expressed. And such circumstances to be made more perfect by future Representatives.

2. That two hundred of the four hundred members, and not less, shall be taken and esteemed for a competent Representative; and the major voices present shall be concluding to this nation. The place of session and choice of a Speaker, with other circumstances of that nature, are referred to the care of this and future Representatives.

3. And to the end all public officers may be certainly accountable and no factions made to maintain corrupt interests, no officer of any salary forces in army or garrison, nor any treasurer or receiver of public monies, shall (while such) be elected a member for any Representative; and if any lawyer shall at any time be chosen, he shall be incapable of practice as a lawyer during the whole time of that trust. And for the same reason, and that all persons may be capable of subjection as well as rule.

4. That no member of the present parliament shall be capable of being elected to the next Representative, nor any member of any future Representative shall be capable of being chosen for the Representative immediately succeeding, but are free to be chosen, one Representative having intervened. Nor shall any Representative be made either receiver, treasurer, or other officer during that employment.

5. That, for avoiding the many dangers and inconveniences apparently arising from the long continuance of the same persons in authority, we agree that this present parliament shall end the first Wednesday in August next (1649), and thenceforth be of no power or authority; and in the meantime shall order and direct the election of a new and equal Representative, according to the true intent of this our Agreement, and so as the next Representative may meet and sit in power and authority as an effectual Representative upon the day following: namely, the first Thursday of the same August, 1649.

6. We agree, if the present parliament shall omit to order such election or meeting of a new Representative or shall by any means be hindered from performance of that trust, that in such case we shall for the next Representative proceed in electing thereof in those places and according to that manner and number formerly accustomed in the choice of knights and burgesses, observing only the exceptions of such persons from being electors or elected as are mentioned before in the first, third, and fourth heads of this Agreement: it being most unreasonable that we should either be kept from new, frequent and successive representatives, or that the supreme authority should fall into the hands of such as have manifested disaffection to our common freedom and endeavoured the bondage of the nation.

7. And for preserving the supreme authority from falling into the hands of any whom the people have not or shall not choose, we are resolved and agreed (God willing) that a new Representative shall be upon the first Thursday in August next aforesaid. The ordering and disposing of themselves as to the choice of a Speaker and the like circumstances is hereby left to their discretion; but they are, in the extent and exercise of power, to follow the direction and rules of this Agreement and are hereby authorised and required – according to their best judgements – to set rules for future equal distribution and election of members as is herein intended and enjoined to be done by the present parliament.

8. And for the preservation of the supreme authority in all times entirely in the hands of such persons only as shall be chosen thereunto, we agree and declare that the next and all future representatives shall continue in full power for the space of one whole year; and that the people shall, of course, choose a parliament once every year, so as all the members thereof may be in a capacity to meet and take the place of the foregoing Representative on the first Thursday in every August for ever (if God so please). Also – for the same reason – that the next or any future Representative, being met, shall continue their session day by day without intermission for four months at the least; and after that shall be at liberty to adjourn from two months to two months<sup>2</sup> as they shall see cause, until their year be expired; but they shall sit no longer than a year upon pain of treason to every member that shall exceed that time; and in times of adjournment shall not erect a Council of State but refer the managing of affairs in the intervals to a committee of their own members, giving such instructions – and publishing them – as shall in no measure contradict this Agreement.

9. And that none henceforth may be ignorant or doubtful concerning the power of the supreme authority and of the affairs about which the same is to be conversant and exercised, we agree and declare that the power of Representatives shall extend without the consent or concurrence of any other person or persons: (1) to the conservation of peace and commerce with foreign nations, (2) to the preservation of those safeguards and securities of our lives, limbs, liberties, properties, and estates contained in the Petition of Right made and enacted in the third year of the late king, (3) to the raising of monies, and generally to all things as shall be evidently

<sup>2</sup> I.e. for two months at a time, each adjournment requiring a meeting to authorise it.

conducting to those ends or to the enlargement of our freedom, redress of grievances, and prosperity of the commonwealth.

For security whereof, having by woeful experience found the prevalence of corrupt interests powerfully inclining most men once entrusted with authority to pervert the same to their own domination and to the prejudice of our peace and liberties, we therefore further agree and declare:

10. That we do not empower or entrust our said Representatives to continue in force or to make any laws, oaths or covenants, whereby to compel by penalties or otherwise any person to anything in or about matters of faith, religion, or God's worship; or to restrain any person from the profession of his faith or exercise of religion according to his conscience – nothing having caused more distractions and heart-burnings in all ages than persecution and molestation for matters of conscience in and about religion.

11. We do not empower them to impress or constrain any person to serve in way by sea or land – every man's conscience being to be satisfied in the justness of that cause wherein he hazards his own life, or may destroy another's.

And for the quieting of all differences and abolishing of all enmity and rancour, as much as is now possible for us to effect:

12. We agree that after the end of this present parliament, no person shall be questioned for anything said or done in reference to the late wars or public differences, otherwise than in pursuance of the determinations of the present parliament against such as have adhered to the king against the liberties of the people, and saving that accountants for public monies received shall remain accountable for the same.

13. That all privileges or exemptions of any persons from the laws or from the ordinary course of legal proceedings by virtue of any tenure, grant, charter, patent, degree, or birth, or of any place of residence, or refuge, or privilege of parliament, shall be henceforth void and null; and the like not to be made nor revived again.

14. We do not empower them to give judgement upon anyone's person or estate where no law has been before provided, nor to give power to any other court or jurisdiction so to do, because where there is no law there is no transgression for men or magistrates to take cognisance of; neither do we empower them to intermeddle with the execution of any law whatsoever.

15. And that we may remove all long-settled grievances and thereby as far as we are able take away all cause of complaints and no longer depend upon the uncertain inclination of parliaments to remove them, nor trouble ourselves or them with petitions after petitions (as has been accustomed) without fruit or benefit; and knowing no cause why any should repine at our removal of them except such as make advantage by their continuance or are related to some corrupt interests, which we are not to regard, we agree and declare:

16. That it shall not be in the power of any representative to punish, or cause to be punished, any person or persons for refusing to answer to questions against themselves in criminal cases.

17. That it shall not be in their power, after the end of the next Representative, to continue or constitute any proceedings in law that shall be longer than six months in the final determination of any cause past all appeal; nor to continue the laws or proceedings therein in any other language than English, nor to hinder any person or persons from pleading their own causes or of making use of whom they please to plead for them.

The reducing of these and other the like provisions of this nature in this Agreement provided, and which could not now in all particulars be perfected by us, is intended by us to be the proper works of faithful Representatives.

18. That it shall not be in their power to continue or make any laws to abridge or hinder any person or persons from trading or merchandising into any place beyond the seas where any of this nation are free to trade.

19. That it shall not be in their power to continue excise or customs upon any sort of food or any other goods, wares, or commodities longer than four months after the beginning of the next Representative, being both of them extreme burdensome and oppressive to trade and so expensive in the receipt as the monies expended therein (if collected as subsidies have been)<sup>3</sup> would extend very far towards defraying the public charges. And forasmuch as all monies to be raised are drawn from the people, such burdensome and chargeable ways shall never

<sup>3</sup> Subsidies (a combination of land tax and property rate) were collected locally and submitted by local receivers-general direct to the Army treasurers, for which they received a commission. Customs and excise were collected by parliamentary commissioners who were leading financiers working centrally in London and who received a commission on the money they raised.

more be revived, nor shall they raise monies by any other ways (after the aforesaid time) but only by an equal rate in the pound upon every real and personal estate in the nation.

20. That it shall not be in their power to make or continue any law whereby men's real or personal estates, or any part thereof, shall be exempted from payment of their debts; or to imprison any person for debt of any nature – it being both unChristian in itself and no advantage to the creditors, and both a reproach and prejudice to the commonwealth.

21. That it shall not be in their power to make or continue any law for taking away any man's life – except for murder or other the like heinous offences destructive to human society, or for endeavouring by force to destroy this our Agreement – but shall use their uttermost endeavour to appoint punishments equal to offences: that so men's lives, limbs, liberties and estates may not be liable to be taken away upon trivial or slight occasions as they have been; and shall have special care to preserve all sorts of people from wickedness, misery and beggary; nor shall the estate of any capital offender be confiscate but in cases of treason only; and in all other capital offences, recompense shall be made to the parties damnified,<sup>4</sup> as well out of the estate of the malefactor as by loss of life, according to the conscience of his jury.

22. That it shall not be in their power to continue to make any law to deprive any person in case of trials for life, limb, liberty or estate, from the benefit of witnesses on his or their behalf, nor deprive any person of those privileges and liberties, contained in the Petition of Right made in the third year of the late king Charles.

23. That it shall not be in their power to continue the grievance of tithes longer than to the end of the next Representative; in which time, they shall provide to give reasonable satisfaction to all impropiators; neither shall they force, by penalties or otherwise, any person to pay towards the maintenance of any ministers, who out of conscience cannot submit thereunto.

24. That it shall not be in their power to impose ministers upon any the respective parishes, but shall give free liberty to the parishioners of every particular parish to choose such as themselves shall approve, and upon such terms and for such reward as themselves shall be willing to contribute, or shall contract for. Provided none be choosers but such as are capable of electing Representatives.

<sup>4</sup> parties damnified = injured parties.

25. That it shall not be in their power to continue or make a law for any other way of judgements, or conviction of life, limb, liberty or estate, but only by twelve sworn men of the neighbourhood to be chosen in some free way by the people, to be directed before the end of the next Representative, and not picked and imposed as hitherto in many places they have been.

26. They shall not disable any person from bearing any office in the commonwealth for any opinion or practice in religion, excepting such as maintain the pope's (or other foreign) supremacy.

27. That it shall not be in their power to impose any public officer upon any counties, hundreds, cities, towns or boroughs; but the people capable by this Agreement to choose Representatives shall choose all their public officers that are in any kind to administer the law for their respective places for one whole year, and no longer, and so from year to year. And this as an especial means to avoid factions and parties.

And that no person may have just cause to complain by reason of taking away the excise and customs, we agree:

28. That the next, and all future representatives shall exactly keep the public faith and give full satisfaction for all securities, debts, arrears or damages (justly chargeable) out of the public treasury; and shall confirm and make good all just public purchases and contracts that have been or shall be made; save that the next Representative may confirm or make null in part or in whole, all gifts of lands, monies, offices, or otherwise made by the present parliament to any member of the House of Commons or to any of the Lords or to any of the attendants of either of them.

And for as much as nothing threatens greater danger to the commonwealth than that the military power should by any means come to be superior to the civil authority:

29. We declare and agree that no forces shall be raised but by the Representatives for the time being; and in raising thereof, that they exactly observe these rules, namely: that they allot to each particular county, city, town and borough, the raising, furnishing, agreeing, and paying of a due proportion according to the whole number to be levied; and shall to the electors of Representatives in each respective place give free liberty to nominate and appoint all officers appertaining to regiments, troops and companies, and to remove them as they shall see cause, reserving to the Representative the nominating

and appointing only of the General and all general-officers, and the ordering, regulating and commanding of them all upon what service shall seem to them necessary for the safety, peace, and freedom of the commonwealth.

And inasmuch as we have found by sad experience that generally men make little or nothing to innovate in government, to exceed their time and power in places of trust, to introduce an arbitrary and tyrannical power, and to overturn all things into anarchy and confusion where there are no penalties imposed for such destructive crimes and offences: 30. We therefore agree and declare that it shall not be in the power of any Representative in any wise to render up or give or take away any part of this Agreement, nor level men's estates, destroy propriety, or make all things common. And if any Representative shall endeavour, as a Representative, to destroy this Agreement, every member present in the House not entering or immediately publishing his dissent shall incur the pain due for high treason and be proceeded against accordingly; and if any person or persons shall by force endeavour or contrive the destruction thereof, each person so doing shall likewise be dealt withal as in cases of treason.

And if any person shall by force of arms disturb elections of Representatives, he shall incur the penalty of a riot; and if any person not capable of being an elector, or elected, shall intrude themselves amongst those that are, or any persons shall behave themselves rudely and disorderly, such persons shall be liable to a presentment by a grand inquest and to an indictment upon misdemeanour, and be fined and otherwise punished according to the discretion and verdict of a jury. And all laws made or that shall be made contrary to any part of this Agreement are hereby made null and void.

Thus, as becomes a free people thankful unto God for this blessed opportunity, and desirous to make use thereof to His glory in taking off every yoke and removing every burden in delivering the captive and setting the oppressed free, we have in all the particular heads aforementioned done as we would be done unto. And as we trust God will abolish all occasion of offence and discord and produce the lasting peace and prosperity of this commonwealth, we accordingly do in the sincerity of our hearts and consciences, as in the presence of Almighty God, give clear testimony of our absolute agreement to all and every part hereof by subscribing our hands thereunto.

*John Lilburne and others*

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Dated the first day of May, in the year of our Lord 1649.

John Lilburne  
William Walwyn  
Thomas Prince  
Richard Overton  
30 April 1649

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