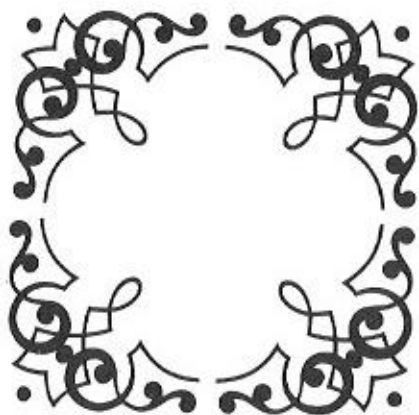


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**CONSUL THOMAS MAYNARD — 1656-1689**  
**A Reassessment**



It is impossible to study Anglo-Portuguese relations in the second half of the 17th century without reference to the reports of Thomas Maynard, who was consul in Lisbon for four years and consul general for almost thirty. However, although Maynard has been quoted by many writers as the source of their information, only Mrs. M. S. Jayne, it seems, has tried to analyse Maynard's effectiveness as a consul<sup>1</sup>. To her, Maynard appeared to be a somewhat unsavoury upstart; a devious man; a contentious troublemaker, who only managed to remain consul for so long because he knew too much about too many people and could hold them, as it were, to ransom in his own support. Mrs. Jayne was writing with insufficient knowledge of Maynard's background and work, and seems to have relied on Sir Robert Southwell's assessment of him<sup>2</sup>. She may, also, have been too much influenced by the aura of wickedness which has traditionally clung to Maynard over the centuries among members of the English College in Lisbon. Professor Boxer has commented that Maynard

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1. Jayne, M. S., 'Thomas Maynard, 1656-1689', **The Historical Association Lisbon Branch**, Annual Reports for 1940 and 1941, 217-227 and 314-324, respectively.

2. Mrs. Jayne does not appear to have consulted the Southwell papers or to have been aware of the part played by Maynard during the ratification of the 1654 treaty and the making of the 1661 Marriage Treaty. In connection with his role in the latter treaty, I owe an enormous debt to Senhora T. Schedel de Castello Branco for having given me access to the archives of the Condes da Ponte. Her book, **Vida do Marquês de Sande**, Lisbon, 1971, contains most of the information drawn on in this article.

was abrasive, though capable and quarrelled with nearly everybody. He blames religious tension for much of the quarrelling<sup>3</sup>. Maynard was certainly capable, but he cannot be said to have quarrelled for the sake of quarrelling. Crucial in any assessment of Maynard is the understanding of the motives behind the criticisms of him made by his detractors. The chief of them were: the English College; the Conde de Castelo Melhor, together with António de Sousa de Macedo, and the two envoys, Sir Robert Southwell and Francis Parry.

Maynard was born in either 1622 or 1623, a younger son of Thomas Maynard of Brixton, Devon, and Agnes Lambert of Plymouth<sup>4</sup>. The Maynards were of Norman descent and had held West Sherford from the time of Henry VIII. They also became bailiffs of East Sherford. The estate comprised two manors totalling 273 acres in the early 17th century<sup>5</sup>. Writing in 1675, Maynard said that his father's family and fortunes suffered grievously in the Royalist cause during the Civil War. The family was reduced to great want and misery because both his father and elder brother lost their lives in the king's service, and because his

3. Boxer, C.R., *Descriptive List of the State Papers, Portugal, 1661-1780*, 2 vols., Lisbon, 1979, i. 11.

4. There are two published Visitations of the County of Devon: — *The Visitation of the County of Devon in the Year 1620*, ed. Colby, T., (Harleian Soc.), London, 1872, vi, and *The Visitation of the County of Devon, comprising the Heralds' Visitations of 1631, 1564 and 1620*, with additions by Lt. Col. J. L. Vivian, Exeter, 1895. That edited by Colby does not show Thomas at all (pp. 182/3), but includes a brother, Nicholas, not shown on Vivian's family tree (p. 561), and in which Thomas is shown as being the third son. Proof of Maynard's ancestry is to be found in the records of the Inquisition. See: Baião, A., *Episódios Dramáticos da Inquisição Portuguesa*, 3 vols., Lisbon, 1936, iii. 240. The Goalter Mainard (Walter Maynard) mentioned there was one of Thomas Maynard's younger brothers, who was vice-consul in Oporto for many years. There does not seem to be any record of the exact dates of his vice-consulship, but it was probably from c. 1660 — c. 1680.

5. Demain Saunders, C., 'The early Maynards of Devon and St. Albans', *The Genealogists Magazine*, vi (1932-1934), No. 12, 593-641 at 627.

father's estate had been sequestered and all his moveables sold<sup>6</sup>. It is strange, therefore, how Maynard succeeded in making himself *persona grata* with the Commonwealth government. If, as Portuguese sources record, he married a first cousin of General George Monck, this may have helped<sup>7</sup>. However, he also had good Commonwealth connections. His second cousin, John Maynard (1620-1690, Member of Parliament for Totnes in the Short and Long Parliaments, and in 1653-1654, Serjeant-at-Law, became Protector's Serjeant in 1658<sup>8</sup>. In 1639 Maynard was sixteen and was an apprentice at La Rochelle, learning the trade of merchandising and the French tongue<sup>9</sup>. Three years later he went to work in Portugal as a factor for Rowland Hill, an English merchant in Oporto, but he returned to England sometime between 1648 and 1650, to assist his distressed family and to marry the lady to whom he had been betrothed<sup>10</sup>. Because Hill had a kindness for Maynard, and in order to repay an old debt, he obtained employment for Maynard with the Protectorate government in 1655. Hill was able to do this because he was married to the sister of Cromwell's chaplain, Sterry<sup>11</sup>. Maynard acted as a courier and agent for Cromwell with John IV, and he was in Lisbon when the 1654 treaty was ratified<sup>12</sup>. However, even in

6. B. L. Add. Ms. 34332, f. 71, Maynard to Arlington, Lisbon, 8/18 February 1674/5.

7. Schedel de Castello Branco, *op. cit.*, p. 360.

8. *Visitation of Devon* (Vivian), p. 561, and D.N.B.

9. H.M.C. 77, *de l'Isle and Dudley*, vi, pp. 648-649. Petition to the Earl of Leicester from the merchants in La Rochelle, following the French Decree of 26 January 1639 N.S.

10. *Add. Ms.* 34332, f. 71, Maynard to Arlington, Lisbon, 8/18 February 1674/5. B.L. *Add. Ms.* 35099, f. 165 et seq., Parry to Southwell, Lisbon, 8/18 June 1675.

11. *Add. Ms.* 35099, f. 165 et seq., Parry to Southwell, Lisbon, 8/18 June 1675.

12. *C.S.P. Dom.*, 1655, 512, 531 and 608, and Thurloe, J., *A Collection of the State Papers of John Thurloe, Esq., Secretary, First, to the Council of State, and Afterwards to the Two Protectors, Oliver and Richard Cromwell*, ed. Birch, T., 7 vols., London, 1742, iii. 718, Blake to Cromwell, August 1655, and v. 59, Meadows to Generals-at-sea, Lisbon, 25 May/4 June 1656.

the autumn of 1654, Maynard was recommended for the post of consul in Portugal by the merchants of Exeter, Dartmouth, Plymouth and London. The London recommendation bears 46 signatures. In these documents, Maynard is described as being a merchant of Plymouth. It is stressed that he knew Portugal and the language well; was of good life and conversation; of known integrity and ability, and well affected to the Commonwealth<sup>13</sup>.

In spite of this, it appears that his real sympathies remained Royalist, for Clarendon was later to tell Sir Richard Fanshaw, who was being sent to Portugal as ambassador, that Mr. Maynard deserved well of the king and had been sent to Portugal in Cromwell's time by His Majesty's leave and direction<sup>14</sup>.

Maynard arrived in Lisbon with his wife and family on 9 January 1657 to take up his appointment as consul and agent, although his patent was given on 27 August/6 September 1656<sup>15</sup>. John IV had died in November 1656 and had been succeeded by his son Afonso VI, under the Regency of his mother, Queen Luisa. It is clear from the correspondence in the Thurloe State Papers and the archives of the Condes da Ponte that during the Protectorate Maynard was on very good terms with the Portuguese government, even though he continually pressed for the observance of the terms of the 1654 treaty. He was the only person, other than grandees and ambassadors, allowed without permission in the queen's antechamber<sup>16</sup>. No criticisms of Maynard have been upheld by the government in England and

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13. **Rawlinson Ms.** A. 61, ff. 411, 413, 415 and 419, dated 28 — 31 October, 1654.

14. H.M.C. 50, **Heathcote**, p. 24, Clarendon to Fanshaw, Whitehall, 6 December 1661 O.S.

15. **Thurloe** vi. 3, Maynard to Thurloe, Lisbon, 29 January 1657 N.S. **Thurloe** v. 374-375, agreement between Maynard and merchants, Lisbon. **Rawlinson Ms.** A. 42, f. 41.

16. **Thurloe** vi and vii contain Maynard's reports to Thurloe. **Schedel do Castello Branco**, *op. cit.*, p. 283.

the merchants in Portugal knew where they stood from the political and religious point of view. Even the affair of Margaret Throckmorton, when Maynard was imprisoned for six days by the Inquisition, did not affect the trust in which he was held by the queen and her government, for the queen sent him to England in 1660 on Portugal's behalf, when it became apparent that Charles II would be restored to the throne<sup>17</sup>. The Portuguese ambassador in London, Francisco de Melo (later Conde da Ponte and Marquês de Sande), told queen Luisa that Maynard had been instrumental in increasing his own intimacy with General Monck and had facilitated his acceptance in Royalist circles.

One of the few consuls to keep his post after the Restoration, Maynard returned to Portugal in the autumn of 1660 with a new patent dated 27 June 1660 O.S.<sup>18</sup>. He found that the Catholic and Royalist factions among the merchants had united in an effort to oust him because, on the one hand, political divisions in England were of course repeated amongst the merchants in Portugal, and, on the other, the English College's ascendancy among the English nation in Portugal had been ended with Maynard's patent of 1656 which had superseded that of their own man, Father John Robinson<sup>19</sup>. The college never ceased to make things difficult for Maynard. Thus, on his return, Maynard was accused of unbridled passion; intolerable nature to oppress; prejudicing the merchants by imprudence and partiality, and discovering the secrets of their trade to the Portuguese. Clarendon's assurance that he had been a king's man throughout, and the queen's letter to Charles II stating her approval of Maynard, calmed the spate

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17. **Inquisition Process** 7522. Jayne, M. S., 'British Prisoners of the Lisbon Inquisition' **Historical Association (Lisbon Branch)**, 1937, 24-34. Baião, *op. cit.*, iii. 43-49. **Schedel de Castello Branco**, *op. cit.*, pp. 279-284.

18. **S.P.** 89/4, f. 161.

19. Shaw, L.M.E., 'The significance of the appointment of John Robinson as Consul of the English nation in Portugal, 1650', **The British Historical Society of Portugal**, 11th Annual Report and Review, 1984, 13-19.

of petitions<sup>20</sup>. However, the queen was forced to retire in the late summer of 1662. The Conde de Castelo Melhor took over the government and Sousa de Macedo became Secretary of State. For the next five years Maynard's relations with the Portuguese government were to be tempestuous. Castelo Melhor was deeply suspicious of Maynard because of his favour and standing with the queen and her government. Southwell later confirmed that his was the principal reason for Castelo Melhor's hostility to the consul<sup>21</sup>. Macedo saw Maynard as an appointee of the despised usurper, Cromwell. Further, the auxiliary forces sent out under the terms of the 1661 treaty had arrived in Portugal in the summer of 1662. Maynard was appointed agent for them<sup>22</sup>. Continuous problems regarding their pay (owing to Portugal's poverty); proper recognition for services; religion and command, made his task difficult. Maynard's efforts on their behalf and in keeping English sailors on English ships, and redressing the grievances of the merchants because of the non-observance by Portugal of the terms of the 1654 treaty, did nothing to endear him to Portugal's rulers at the time. Castelo Melhor asked Clarendon to remove Maynard<sup>23</sup>. He told Maynard to his face that he was pro-Spanish and a creature of Secretary Bennet's<sup>24</sup>; it was an allegation he was later forced to withdraw<sup>25</sup>. In October 1665, Castelo Melhor asked Sande to negotiate for Maynard's removal because of his 'aspero modo'<sup>26</sup>. Shortly afterwards he again wrote "to

20. See, for example, S.P.89/4, f. 213, and S.P.89/5, f. 83. S.P.89/5, f. 42, Afonso VI to Charles II, Lisbon, 3 September 1661 N.S. signed by queen.

21. S.P.89/6, f. 223, Southwell to Arlington, Lisbon, 24 August 1666 N.S.

22. S.P.89/4, f. 168, and S.P.89/6, ff. 165 and 197.

23. S.P.89/6, fl. 254, Castello Melhor to Clarendon, Lisbon, 11 June 1664 N.S.

24. Henry Bennet became Lord Arlington in the autumn of 1164.

25. S.P.89/6, ff. 260 — 261, Maynard to Bennet, Lisbon, 5/15 July 1664. *Ibid.*, f. 267, Maynard to Bennet, Lisbon, 8 August 1664 N. S.

26. Copy letter of 9 October 1665 among uncolated Russell papers, Ushaw.

Sande, saying: 'Senhor Marquês, com este consul se não poderá emendar aqui nem hum negócio maldito da maldição de deus... eu me não atrevo com ele'<sup>27</sup>.

The situation was clearly very serious. In Maynard's favour, it must be remembered that Fanshaw left Portugal in August, 1663. Maynard's workload was extremely heavy. He was consul general, with responsibility for the factory and the English nation in Portugal; in the absence of an envoy, he was expected to do the work of a present-day chargé d'affaires, and he was agent for the troops, having to make constant trips to the front. There was more than enough to make anyone impatient and abrasive. Many a man in Maynard's circumstances might have devoted himself to ingratiating himself with Castelo Melhor and Macedo, but Maynard's sense of responsibility was too strong. Not only were the interests of Englishmen in Portugal diametrically opposed to those of the government in Portugal at that time, but they were often too pressing. There was no time for the slow diplomacy of 17th century Portugal which Southwell likened to a pilgrimage<sup>28</sup>. If the circumstances are weighed carefully, it is doubtful whether Maynard could have done much to ingratiate himself with Castelo Melhor and Macedo, tainted as he was with his success with the old regime. It is significant that after the fall of Castelo Melhor in 1667, Southwell reported that Maynard was again *persona grata* at court. Those who did not speak well of him did not speak ill, and both the Duke of Cadaval and Ruy Moura Telles spoke well of him, the duke 'not without singular commendation'<sup>29</sup>.

Nonetheless, the pressure brought to bear in London for Maynard's removal in 1665, reluctantly forced Charles II to act. When Southwell arrived in Portugal in 1666, he brought with

27. B.L. *Add. Ms.* 38038, f. 35, Castelo Melhor to Sande, Lisbon, 28 October 1665.

28. S.P.89/9, Southwell to Arlington, Lisbon, 14/24 December 1668.

29. B.L. *Add. Ms.* 34331, ff. 75 ) 76v, Southwell to Arlington, Lisbon, 8/18 September 1668.

him a gently worded letter of recall from the king for questioning by the Council. Charles said that he was persuaded that Maynard had behaved himself well in his service<sup>30</sup>. Unfortunately none of these events was secret and Maynard's departure was delayed because of lack of shipping due to the Dutch war and a court case<sup>31</sup>. Many people assumed that Maynard would lose his office. This led to others seeking the job and bribes had been offered to agents<sup>32</sup>. Maynard's efforts to keep the troops from starving were assisted by the majority of English merchants, who extended credit to them<sup>33</sup>. However, some merchants began to complain. They averred that because of the quarrel at court and Maynard's recall, he could not act on their behalf as he should and they made this an excuse not to pay him consulage. Maynard did not want to sue them, as he did not want the Portuguese ministers to know<sup>34</sup>. The situation was ripe for the English College to again try to instal a catholic consul. These endeavours were aided by Richard Russell of the college (later, successively, Bishop of Portalegre and Viseu), at that time Secretary in the Portuguese embassy in London. When the 1661 treaty was being negotiated, Russell had been entrusted with paying the 'mimos', or sweeteners, so his favour was high among those who mattered in the government in England<sup>35</sup>. Thus, on 27 March 1668 O.S., Maynard's patent was cancelled and one, Francis Holbech, a catholic merchant in Portugal and a good friend of Russell's,

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30. **S.P.89/7**, f. 98, Charles II to Maynard, N.D.

31. **Ibid.**, ff. 200 and 218, Maynard to Arlington, Lisbon, 16/26 July 1666 and 13/23 August 1666.

32. **S.P.89/8**, f. 86, Maynard to Arlington, Lisbon, 5/15 March 1666/7.

33. **S.P.89/9**, f. 49, Maynard to Arlington, Lisbon, 7 April 1668 N.S.

34. **S.P.89/8**, f. 45, Maynard to Arlington, Lisbon, 7 February 1667 N.S.

35. Schedel de Castello Branco, **op. cit.**, pp. 359-384.

was appointed in his stead<sup>36</sup>. Holbech never seems to have worked as consul and at the time of the patent being issued, Maynard had not even been back to England to be examined by the Council, for he only departed four months later. In the spring of 1669, Charles wrote to the Prince Regent and to the factory, advising them of Maynard's reinstatement<sup>37</sup>.

On his return to Portugal after having being cleared of the charges which had been laid against him at the Council meeting in London on 8 March 1668/9, Maynard must have hoped for a more trouble-free existence, in view of the change of government. This was not to be, however, because of the animosity of Southwell, who set out to ruin him.

Southwell had been trained for a diplomatic career, and he was an ambitious opportunist, always anxious to be well thought of by people in positions of power. For example, he wrote to his man of business, Mr. Floyd:

I am glad by your letter to understand the probability of your friendship with Mr. Williamson which will work good effects not only as to your engraciating (sic) with my Ld. Arlington, but in good offices and information from him unto me, which while I am absent from Court is as indispensable as the Aire I am to breath<sup>38</sup>.

Mr. Floyd carried out his instructions well. Southwell became so intimate with Williamson, that by the time he left England after his visit there in 1668, he was addressing Williamson as 'dear brother'<sup>39</sup>. Parry first went to Lisbon as Southwell's secretary and he had a calling in the church<sup>40</sup>.

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36. **S.P.89/5**, f. 155 and **C.S.P.Dom.** 1667/8, 310.

37. **S.P.89/10**, ff. 43 and 45, Charles II to Prince Regent, Westminster, 8 March 1669 and to the factory in Lisbon.

38. B.L. **Add. Ms.** 34330, f.1, Southwell to Floyd, Lisbon, 22 March 1667 N.S.

39. **Add.Ms.** 34331, f.40, Southwell to Williamson, 25 July/4 August 1668.

40. **Add.Ms.** 34332, ff. 71-72, Maynard to Arlington, Lisbon, 8/18 February 1674/5.

In the light of what Southwell did later, the letter he wrote to Arlington in February 1667 is significant. He told Arlington that Maynard was a man of pretty parts, but officious and liberal when making his court, though being passionate and imperious he would never live in quiet. He recommended that Arlington should not struggle on Maynard's behalf in case he became entangled in Maynard's embroilments. He then went on to say that because of his troubles with the merchants, the consul was really lacking in funds, though he would not admit it. Southwell wished that Maynard could have some quiet place in England which would keep him out of want and contention<sup>41</sup>. It was a letter full of destructive innuendo. Clearly he wanted Maynard out of Lisbon. Again, Southwell was in London when Holbech patent was prepared in March 1668. No documentary proof has been found, but as Southwell was the envoy in Lisbon, it is more than probable that he was consulted in the matter. Southwell returned to Portugal with instructions to investigate the complaints of the merchants, and it may well be that had the latter been more polite and subservient to him, he would not have written to Arlington in favour of Maynard before the latter's examination by the Council. Even then, his reason for doing so, he said, was not that Maynard was the ablest of consuls (as he privately told Mr. Floyd) but only that if the consul were turned out, the merchants would say that bribery had given them the victory<sup>42</sup>.

Southwell left Portugal in June 1669. It is clear from the State Papers, that although Parry had unofficially only been left in Lisbon to deal with the collection of dower payments, he had, in fact, begun to assume the mantle of government representative and reported regularly to both Williamson and Arlington, until he was appointed agent for the collection of the dower in May

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41. **S.P.89/8**, f. 20, Southwell to Arlington, Lisbon, 3 February 1667 N.S.

42. **S.P.89/9**, f. 138, Southwell to Arlington, Lisbon, 31 October/10 November 1668, and **Add.Ms.** 34331, f.92, Southwell to Floyd, Lisbon, on same date.

1670<sup>43</sup>. This Parry was able to do because, as an apprentice, Maynard had not had a formal education, and so his reports are noticeably less well constructed than Parry's. Parry also began to concern himself with merchant matters, in particular with the negotiations for a new treaty. Between February 1673 and February 1675, the State Papers contain no letters from Maynard to anyone in London<sup>44</sup>. On 8/18 February 1674/5, Maynard wrote to Williamson, saying that he had been hugely unhappy in being deprived of Williamson's letters for some years, and that now he understood it was Mr. Parry's intention to dispossess him of the consulship<sup>45</sup>. Although The State Papers contain nothing more on the subject, it is possible to piece together what happened from correspondence in the Southwell Papers. In 1674, Southwell purchased from the crown a reversionary grant of the patent for the consulship of Lisbon for Parry. It was exactly like Maynard's patent of 27 June 1660<sup>46</sup>. Unfortunately, the actual patent is not among Southwell's papers. All that is extant is the original of the Articles of Agreement between Southwell and Parry<sup>47</sup>. By this agreement, Parry was to pay Southwell one third of the profits of the post half yearly, at the usual rates of exchange and render him an annual account. Parry agreed not to part with the office in farm without Southwell's knowledge. The grant to Parry was to be operative on the death or other determination of Maynard's patent. The words 'other determination' were an open invitation to Maynard's enemies. For Southwell, the money spent on the purchase of this grant was doubtless regarded by him as

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43. **S.P.89/10**, f. 219, Instructions to Parry, London, May 1670.

44. Between **S.P.89/12**, f.218 and **S.P.89/13**, f.58.

45. **S.P.89/13**, f.58, Maynard to Williamson, Lisbon, 8/18 February 1674/5.

46. **Add.Ms.** 35099, f.150, Parry to Southwell, Lisbon, 24 September/4 October 1674.

47. **Add.Ms.** 34332, f.58, Articles of Agreement between Sir Robert Southwell, Clarke of H.M.'s most Hon. Privy Council and Francis Parry, Esq., Resident for H.M. in the Court of Portugal.

an investment. For Parry, it was an opportunity to make more money and to build up an estate. Parry promised to keep the matter secret, so it would seem that the whole proceedings were irregular<sup>48</sup>. Naturally, the matter was soon public knowledge, whether the news was leaked in England and conveyed to Portugal via the Portugal merchants in London to their factors in Lisbon, as Parry maintained, or, whether Parry spread the news in Lisbon, as Maynard averred, it is impossible to judge<sup>49</sup>. Maynard and Parry shared the services of one, Tom, a copying clerk, so Maynard and everyone else would have been aware that Secretary of State Coventry addressed his letter of 21 December 1674 to 'Mr. Parry, Consull at Lisbon', whilst his letter of 25 January 1674/5 was addressed to 'Mr. Maynard, at Lisbon'<sup>50</sup>. In the latter letter, he assured Maynard that he knew of no attempt to take Maynard's place by Parry or anyone else.

The correspondence in the Southwell papers to which these events gave rise, has been the source of many of the details we have concerning Maynard's life, and has also demonstrated the extent of the venom Southwell felt for Maynard<sup>51</sup>. Maynard reacted by sending his wife to England with a letter from him to Arlington<sup>52</sup>. For what happened in London we only have Southwell's version of events, but we do know that Arlington

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48. **Add.Ms.** 35099, f.150, Parry to Southwell, Lisbon, 24 September/4 October 1674.

49. **Ibid.**, and **Add.Ms.** 34332, f.73, Maynard to Southwell, Lisbon, 8/18 February 1674/5.

50. **Add.Ms.** 35099, f. 150, Parry to Southwell, Lisbon, 24 September/4 October 1674, and **Add.Ms.** 25120, ff.1 and 6, Coventry to Parry, 24 December 1674 O.S. and the same to Maynard 25 January 1674/5, both letters from Whitehall.

51. See for example, **Add.Ms.** 34332, f.75, Southwell to Parry, Spring Gardens, 4/14 March 1674/5.

52. **Add.Ms.** 34332, ff. 71-72, Maynard to Arlington, Lisbon, 8/18 February 1674/5. This was Maynard's second wife. His first wife died in 1664, vide **S.P.89/6**, f. 298, Maynard to Fanshaw, Lisbon 12/22 December 1664.

considered Southwell to have been at fault for having made Parry's grant prejudicial to Maynard<sup>53</sup>. In any event, the end of the matter, much to Southwell and Parry's chagrin, was that the king assured Maynard of his post for life<sup>54</sup>. Nonetheless, in Portugal, the damage done by these two men could not be eradicated so easily. For five years Parry had been slowly eroding Maynard's position in Lisbon, by acting as the merchants' intermediary with the English government. Maynard was made to lose face and, above all, his authority. More and more, the merchants must have refused to pay Maynard his consulage, without recourse, by Maynard, to costly court cases. That, in turn, would be seen as a sign of weakness in England, and lead to the eventual withdrawal of his patent, which was probably how Southwell and Parry planned the affair; hence the phrase 'other determination' in the Article of Agreement between them, to which Arlington objected. Maynard was right to be shocked, suspicious and angry. As he confessed to Arlington in the letter taken to England by his wife: — 'My Lord, I was ever hugely loath to discover to you how I came to be so low in the world'<sup>55</sup>. In May 1675 Parry said that Maynard had neither a good shirt to his back nor a shoe to his feet<sup>56</sup>. The strain of poverty and uncertainty for the future must have been severe. The following month Maynard gave a sober master of a ship a box on the ear in the open street for telling him (Maynard) that he would report him if he would not give him his despatches, which Maynard had withheld until he had been paid consulage<sup>57</sup>.

Although the king guaranteed Maynard his post for life, Parry was not relieved of his post. He remained a divisive force in the

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53. **Add.Ms.** 34332, f.82, Southwell to Parry, Spring Gardens, 24 April 1675 O.S.

54. **Add.Ms.** 35099, f.180, Parry to Southwell, Lisbon, 17/27 August 1675.

55. **Add.Ms.** 34332, ff.71-72, Maynard to Arlington, Lisbon, 8/18 February 1674/5.

56. **Add.Ms.** 35099, f.163, Parry to Southwell, Lisbon, 12/22 May 1675.

57. **Ibid.**, f.164, Parry to Southwell, Lisbon, 25 June/4 July 1675.

factory and among the English community in Lisbon, and Maynard had to endure his presence until the end of 1680. Even in departing, Parry caused division in the factory. Some of his friends among the merchants arranged for £400 to be taken from the Fund for Distressed Seamen in order to buy a farewell present of plate for him<sup>58</sup>. Maynard said it was a bad business, creating a precedent for the treasurer to dispose as he pleased of the monies. In that instance, Maynard said, less than half of the factory had given their consent for the gift, so Maynard had a solicitor draw up a petition to the king in council to compel the treasurer to refund the money<sup>59</sup>.

That the king and Arlington supported Maynard over the consulship affair, shows that both men appreciated his work. We know that eleven years earlier Charles II told Afonso VI that Maynard was honest, hardworking, benevolent, an argumentative diplomat, but very good for shipping<sup>60</sup>. However, Maynard also had other support in England. James Houblon, the wealthy Huguenot banker and London merchant, thought highly of Maynard. Mrs. Houblon told Pepys, in reply to an enquiry which he made, that when she next saw him (Pepys) she would tell him how useful the consul was to the trade and how well he deserved the money he drew out of it; what esteem he had at court and in the capital city, and what honour he gave to the character he bore for the nation<sup>61</sup>.

Why Southwell nursed such animus against Maynard is not known for certain, but two letters among the Southwell papers give a pointer<sup>62</sup>. From these, it appears that when Maynard

58. **S.P.89/16**, f.241, Unidentified members of the factory to ? N.D.

59. **S.P.89/14**, 150, Maynard to Jenkins, Lisbon, 20/30 December 1681.

61. **Rawlinson Ms. A.179**, f.102, Mrs. Houblon to Pepys, 12 February 1686 O.S.

62. **Add.Ms. 34332**, f.73, Maynard to Southwell, Lisbon, 8/18 February, 1674/5, and **Ibid.**, ff.79-80, **John Polexfen to Southwell, London 7 April 1675 O.S.**, enclosing (at f.81) a statement of what happened as a result of the two procurations being given in 1668.

returned to England in 1668, a man named Bioggleston (chosen by Southwell) was given a procuration to receive consulage on Maynard's behalf during his absence. Why, we do not know, Maynard also gave a procuration to Nicholas Polexfen, another merchant in Lisbon, which was drawn up before a public notary, authorising Nicholas to recover all debts, consulage, etc. When the merchants found that two men had procurations, they refused to pay either. Maynard took Bioggleston to court for recovery of the consulage and asked Southwell to assist him in recovering the 3,000 crowns involved. Bioggleston died and the claim was made on his partners. Judgement was given in Maynard's favour in 200 crowns, but the case went to the *Relação* on appeal, and in the end no money changed hands.

On the face of it, the question of whether consulage was or was not paid to Maynard, was really not Southwell's affair, because he left Portugal shortly after Maynard's return in 1669. Why then, was Southwell so very sensitive on the subject<sup>63</sup>. Why did he not just dismiss the matter by saying that Maynard had brought all the trouble on his own head by giving two procurations? Whilst he was in Portugal, Southwell had accumulated large debts<sup>64</sup>. As a merchant himself, Maynard would have been aware of Southwell's financial difficulties. In 1668, perhaps, Maynard had suspected some form of collusion between Bioggleston and Southwell. Perhaps, like all merchants at the time, Maynard preferred to keep financial matters in the family, and the Polexfens and Maynards had intermarried<sup>65</sup>.

In view of the foregoing, it is impossible to accept as unbiased the criticisms of Maynard which were made by Southwell and Parry. Equally, Castelo Melhor and Macedo were unable to judge Maynard dispassionately. This explains why the many harsh criticisms of Maynard are to be found in the State Papers between

63. **Add.Ms. 34332**, f.77, undated draft letter Southwell to Maynard.

64. **C.S.P.Dom.**, 1670, 130 and 192, and **C.S.P.Dom.**, 1671, 499.

65. **Visitations of the county of Devon** (Vivian), p.561.

1662-1675. In addition, there were many difficulties among the English merchant community in both Lisbon and Oporto which were deliberately fermented by Richard Russell and the English College in order to oust Maynard in favour of a catholic consul. It is necessary, therefore, to assess Maynard's work by drawing on other known factors and other people's comments, in order to judge his work as a consul.

Rowland Hill, the merchant who had employed Maynard in Aveiro, would not have recommended Maynard to Cromwell as a special agent in regard to the treaty if he had not been certain that Maynard was able, reliable and honest. Maynard must have carried out his duties satisfactorily, otherwise the recommendations which had been made in 1654 by the merchants of Exeter, Dartmouth, Plymouth and London that he be made consul in Lisbon, would not have been heeded. Those documents spoke of Maynard as being of good life and conversation and of known ability and integrity.

After Maynard had been in Lisbon, as consul, for six months, Thurloe's intelligencer there, Mettam, wrote to Thurloe saying that the consul was 'a stirring man in his nation's behalf'<sup>66</sup>. That is a key description of Maynard. Active, energetic and with a strong sense of duty, Maynard cared greatly about his country and his charges. Thus, even though his family had been Royalists, and he himself had Royalist sympathies, he was prepared to work energetically in Portugal for the Protectorate government. It was, after all, the government for the time being in his country.

In the affair of Margaret Throckmorton, Maynard showed considerable leadership qualities, by sending Zachary Cradock, the chaplain, back to England speedily to prevent his imprisonment by the Inquisition, and by organising the other merchants in his own support. Margaret, a catholic, had gone to live in Maynard's house. There, she had become a protestant convert because of Cradock's preaching. Cradock had boasted of this at a dinner party at which catholics were present. The matter had,

66. **Thurloe** vi. 398, Mettam to Thurloe, Lisbon, 13/23 July 1657.

naturally, been reported to the Inquisition. Maynard, too, had been there, and realised that not only was Cradock at risk from the Inquisition, but that it might have meant the end of the Sunday services held in his house<sup>67</sup>. The affair showed an appreciation of diplomatic possibilities and powers of negotiation. His refusal to hand over Margaret to the Inquisition was courageous. The factory, too, were grateful, for they allowed him an extra quarter per cent consulage in recognition of his efforts<sup>68</sup>.

Maynard made the most of the opportunity offered by Monck's part in the Restoration in order to obtain a new patent. However, he fully repaid Queen Luisa's trust in him. Melo reported that Maynard arranged for him (Melo) to see Monck and Moriss and was involved in negotiations with Clarendon and other important men<sup>69</sup>. He may well have been behind, or had a part to play in, the insistence by England during negotiations for the 1661 treaty, that unless agreement could be reached regarding commercial matters, England would make an alliance with Spain instead<sup>70</sup>. In the final treaty, Article 1 confirmed all treaties made between the two countries since 1641<sup>71</sup>. When Maynard returned to Portugal in September 1660, Melo wrote to the queen and confirmed that Maynard had served her well and with great care. He deserved, Melo said, to be rewarded<sup>72</sup>. Thus Maynard's part in bringing about the 1661 treaty was not

67. **Inquisition Process** No. 7522. The complications of this affair were great for Portugal in England at a critical time. See:- Schedel de Castello Branco, *op. cit.*, pp. 280-288.

68. **S.P.89/5**, f.31, (p.s. to letter), Maynard to Nicholas, Lisbon, 3 August 1661 N.S.

69. **Arquivos Condes da Ponte 1**, f.338v (889-898v), **Melo to Luisa, London, 27 July 1660 N.S.**

70. **Ibid.**, f.350 (926-927v), Melo to Luisa, London, 10 August 1660 N.S.

71. Chalmers, G., **A Collection of Treaties Between Great Britain and Other Powers**, 2 vols., London, 1790, ii. 286.

72. **A.C.P.1** f.360v (966, Melo to Luisa, London, 2 September 1660 N.S.

inconsiderable. His behaviour would not have surprised the Portuguese in Lisbon, where it had become apparent that though Maynard constantly criticised Portuguese people and institutions for their dilatory ways, and pressed the rights of his countrymen under the 1654 treaty, he was daily putting down roots in the country and becoming emotionally involved in Portugal's fortunes. His obvious joy at the news of the victory of Elvas is an example of this. These lusophile tendencies in Maynard continued to be apparent<sup>73</sup>. He rejoiced in their joys and felt for their sorrows, and there is no doubt that he was generally liked and respected by the Portuguese.

The picture of the man painted by these authorities and events is the reverse to that of the passionate, quarrelsome individual painted by fractious merchants, Castelo Melhor and Macedo, and Southwell and Parry. Yet Maynard was the same man. That Maynard survived the concerted attacks made upon him during the difficult years, says much for his resilience and endurance. The orchestrated animosity of the English College; the difficulties regarding the auxiliary forces and the animosity and distrust of Castelo Melhor and Macedo do not seem to have dimmed Maynard's old verve and ebullience as evinced in his reports. Nonetheless, the years between 1670 and 1680 (particularly after 1672 when he must have realised that something was very wrong) did have an effect on him. Southwell and Parry sapped much of his self-confidence, which he never quite regained, even after he had Charles II's promise that he would hold his post as consul general for life. Maynard still retained supporters in London, however, for Parry's successor, Charles Fanshaw, who arrived in Lisbon in November, 1680, was instructed to cultivate Maynard more in future<sup>74</sup>. A good working relationship seems to have been

73. **Thurloe** vii. 590, Maynard to Thurloe, Lisbon, 7/17 January 1658/9 and see, for example **S.P.89/12**, f. 136, Maynard to Arlington, Lisbon' 21/31 August 1672 and **S.P.89/14**, f. 232, Maynard to Jenkins, Lisbon, 8 Eeptember 1682 N.S.

74. **S.P.89/14**, f. 141, Fanshaw to Jenkins, Lisbon, 10 November 1681.

established between the two men<sup>75</sup>. In 1683, Maynard told Jenkins that since Parry's departure he had had no more court cases<sup>76</sup>. Charles Scarburgh replaced Fanshaw in 1686, and, again, the two men appear to have worked harmoniously together.

If a reason for Maynard's survival as consul general against such odds as he experienced between 1662 and 1680 is needed, it is very simply that he was an efficient consul general. He actively cared for Englishmen and English interests in Portugal, with very little support from London (after the Restoration) as far as treaty matters were concerned. To have remained *en poste* for so long, he must surely have had the support of the majority of Portugal merchants in London and the more important members of the factory in Lisbon. If the factory Minute Books had not been lost in 1807<sup>77</sup>, it would have been possible to say who had supported Maynard and why they did so. As it is, we do not know.

Perhaps Maynard's greatest contribution to English interest in Portugal was the part he played over the years in setting up the Lisbon and Oporto chaplaincies, in spite of the Inquisition and the influence of the English College in Portugal. The Lisbon chaplaincy began, of course with the arrival of Zachary Cradock in September 1657, but the Oporto chaplaincy (St. James) owed its beginning to the fact that Maynard made it possible by obtaining a permit from the Portuguese Secretary of State. The first chaplain was a man named Brawler or Brawlard, whose salary was met by a grant from the Bishop of London<sup>78</sup>. Maynard was a deeply convinced aglican, and it is ironical, therefore, that he

75. **Ibid.**, f. 143, Maynard to Jenkins, Lisbon, 1/11 November 1681.

76. **S.P.89/15**, f. 180, Maynard to Jenkins, Lisbon, 5/15 May 1683.

77. Norris, A.H., 'Records of the English Factory at Lisbon: A Unique Survival', **The British Historical Society of Portugal**, 1976, (Third Annual Report and Review), 34 — 37 at 35.

78. **S.P.89/15**, f. 120, Maynard to Jenkins, Lisbon 8 March 1683 N.S. **Ibid.**, f. 180, Maynard to Jenkins, Lisbon, 5/15 May 1683.

was dismissed from his office at the end of 1689, on the grounds that he was a catholic sympathiser and had supplied a ship load of guns to James II for his expedition to Ireland. A Lisbon factor, named Robert Gislingham, who had been involved with a number of other English merchants and factors in alleged bullion smuggling in 1683, was the person who laid the charges against Maynard in England<sup>79</sup>. In December 1689 Maynard asked Shrewsbury to allow him to defend himself at the Council Board in England. He explained to Shrewsbury that he had always done what he could to prevent conversion of Englishmen to catholicism in Portugal during James II's reign. He himself, he said, had lived for fifty years where only the religion of Rome was tolerated, besides three in France, and he had never heard a mass since he was born, so Gislingham might just as well have called him a Turk or a Jew as a catholic<sup>80</sup>. It was to no avail. Almost before his letter could reach Shrewsbury, Maynard received his letter of dismissal from him<sup>81</sup>. Maynard again asked to be allowed to appeal to the Council Board. Nine months later, he told Nottingham that his successor was a person whom the king of Portugal refused to confirm<sup>82</sup>. He may have been right, because there are no reports from Portugal in the State Papers between October 1690 and February 1692. In the latter year Maynard wrote to Nottingham and explained that he had not returned to England because the only proofs of his innocence of charges brought against him were to be found in Portugal. In England he would be in danger of being proceeded against as a malefactor and dyed

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79. **S.P.89/16**, ff.371 and 373, Maynard to Shrewsbury, Lisbon, 3/13 December 1689 and 5 December 1689 N.S.

80. **S.P.89/16**, f.375, Maynard to Shrewsbury, Lisbon, 5/15 December 1689.

81. **Ibid.**, f.378, Maynard to Shrewsbury, Lisbon, 19/29 January 1689/90.

82. **Ibid.**, f.381, Maynard to Nottingham, Lisbon, 19/29 October 1690.

as a criminal, notwithstanding his innocence<sup>83</sup>.

That is the last communication known to have been written by Maynard. There is nothing further known of him for certain. It is sad to think of a man who had done so much for so long for England's interests in Portugal passing into oblivion.

It would be interesting to know for certain what happened to Maynard in the end. When John Colbatch, who went to Lisbon as chaplain with John Methuen in 1693, wrote to Bishop Burnet in 1696, he spoke of the 'late consul'. Did he mean that as 'former' or 'dead'<sup>84</sup>? As the letter in question partly concerned the facilities for communal worship among the English residents in Lisbon, it would have been incredible if he had not discussed the matter with a still present former consul general. Maynard's handwriting was extremely feeble in 1692. Because Colbatch did not mention him by name, the probability is that he was dead by 1696. He may have died before Colbatch arrived in Portugal. Certainly, an active man like Maynard had formerly been would have had little incentive to live without the stimulus of his job. He was probably consigned to the deep in a sugar box, off the south shore of the River Tagus, as were all Englishmen who died protestants in Portugal at that time.

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83. **Ibid.**, f.383, Maynard to Nottingham, Lisbon, 18/28 February 1691/2.

84. **Add.Ms.** 22908, f.23v, Colbatch to Gilbert Burnet, Bishop of Salisbury, Lisbon, 27 October 1696 N.S.