**The Heads of the Proposals offered by the Army**

1 August 1647

*The Heads of the Proposals agreed upon by his Excellency* ***Sir Thomas Fairfax*** *and the Council of the Army, to be tendered to the Commissioners of Parliament residing with the Army, and with them to be treated on by the Commissioners of the Army: containing the particulars of their desires in pursuance of their former declarations and papers, in order to the clearing and securing of the rights and liberties of the kingdom, and the settling a just and lasting peace. To which are added some further particular desires (for the removing and redressing of divers pressing grievances), being also comprised in or necessary pursuance of their former representations and papers appointed to be treated upon*.

**I. That (things hereafter proposed, being provided for by this Parliament) a certain period may (by Act of Parliament) be set for the ending of this Parliament (such period to be put within a year at most), and in the same Act provision to be made for the succession and**[**constitution**](http://www.constitution.org/cons/india/const.html)**of Parliaments in future, as followeth:**

1. That Parliaments may biennially be called and meet at a certain day, with such provision for the certainty thereof, as in the late Act was made for triennial Parliaments; and what further or other provision shall be found needful by the Parliament to reduce it to more certainty; and upon the passing of this, the said Act for triennial Parliaments to be repealed.

2. Each biennial Parliament to sit 120 days certain (unless adjourned or dissolved sooner by their own consent), afterwards to be adjournable or dissolvable by the King, and no Parliament to sit past 240 days from their first meeting, or some other limited number of days now to be agreed on; upon the expiration whereof each Parliament to dissolve of course, if not otherwise dissolved sooner.

3. The King, upon advice of the Council of State, in the intervals between biennial Parliaments, to call a Parliament extraordinary, provided it meet above 70 days before the next biennial day, and be dissolved at least 60 days before the same; so as the course of biennial elections may never be interrupted.

4. That this Parliament and each succeeding biennial Parliament, at or before adjournment or dissolution thereof, may appoint Committees to continue during the interval for such purposes as are in any of these Proposals referred to such Committees.

5. That the elections of the Commons for succeeding Parliaments may be distributed to all counties, or other parts or divisions of the kingdom, according to some rule of equality or proportion, so as all counties may have a number of Parliament members allowed to their choice, proportionable to the respective rates they bear in the common charges and burdens of the kingdom, according to some other rule of equality or proportion, to render the House of Commons (as near as may be) an equal representative of the whole; and in order thereunto, that a present consideration be had to take off the elections of burgesses for poor decayed or inconsiderable towns, and to give some present addition to the number of Parliament members for great counties that have now less than their due proportion, to bring all (at present), as near as may be, to such a rule of proportion as aforesaid.

6. That effectual provision be made for future freedom of elections, and certainty of due returns.

7. That the House of Commons alone have the power from time to time to set down further orders and rules for the ends expressed in the two last preceding articles, so as to reduce the elections of members for that House to more and more perfection of equality in the distribution, freedom in the election, order in the proceeding thereto, and certainty in the returns, with orders and rules (in that case) to be in laws.

8. That there be a liberty for entering dissents in the House of Commons, with provision that no member be censurable for ought said or voted in the House further than to exclusion from that trust; and that only by the judgment of the House itself.

9. That the judicial power, or power of final judgment in the Lords and Commons (and their power of exposition and application of law, without further appeal), may be cleared; and that no officer of justice, minister of state, or other person adjudged by them, may be capable of protection or pardon from the King without their advice or consent.

10. That the right and liberty of the Commons of England may be cleared and vindicated as to a due exemption from any judgment, trial or other proceeding against them by the House of Peers, without the concurring judgment of the House of Commons: as also from any other judgment, sentence or proceeding against them, other than by their equals, or according to the law of the land.

11. The same Act to provide that grand jurymen may be chosen by and for several parts or divisions of each county respectively, in some equal way (and not to remain as now, at the discretion of an Under-Sheriff to be put on or off), and that such grand jurymen for their respective counties, may at each Assize present the name of persons to be made Justices of the Peace from time to time, as the county hath need for any to be added to the Commission, and at the Summer Assize to present the names of three persons, out of whom the King may prick one to be Sheriff for the next year.

**II. For the future security of Parliament and the militia in general, in order thereunto, that it be provided by Act of Parliament:**

1. That the power of the militia by sea and land, during the space of ten years next ensuing, shall be ordered and disposed by the Lords and Commons assembled, and to be assembled in the Parliament or Parliaments of England, by such persons as they shall nominate and appoint for that purpose from time to time during the said space.

2. That the said power shall not be ordered, disposed or exercised by the King's Majesty that now is, or by any person or persons by any authority derived from him, during the said space, or at any time hereafter by His said Majesty, without the advice and consent of the said Lords and Commons, or of such Committees or Council in the intervals of Parliament as they shall appoint.

3. That during the same space of ten years the said Lords and Commons may by Bill or Ordinance raise and dispose of what moneys and for what forces they shall from time to time find necessary; as also for payment of the public debts and damages, and for all other the public uses of the kingdom.

4. And to the end the temporary security intended by the three particulars last precedent may be the better assured, it may therefore be provided,

That no subjects that have been in hostility against the Parliament in the late war, shall be capable of bearing any office of power or public trust in the Commonwealth during the space of five years, without the consent of Parliament or of the Council of State; or to sit as members or assistants of either House of Parliament, until the second biennial Parliament be passed.

**III. For the present form of disposing the militia in order to the peace and safety of this kingdom and the service of Ireland:**

1. That there be Commissioners for the Admiralty, with the Vice-Admiral and Rear-Admiral, now to be agreed on, with power for the forming, regulating, appointing of officers and providing for the Navy, and for ordering the same to, and in the ordinary service of the Kingdom; and that there be a sufficient provision and establishment for pay and maintenance thereof.

2. That there be a General for command of the land forces that are to be in pay both in England, Ireland and Wales, both for field and garrison.

3. That there be Commissioners in the several counties for the standing militia of the respective counties (consisting of trained bands and auxiliaries not in pay), with power for the proportioning, forming, regulating, training and disciplining of them.

4. That there be a Council of State, with power to superintend and direct the several and particular powers of the militia last mentioned, for the peace and safety of this kingdom, and of Ireland.

5. That the same Council may have power as the King's Privy Council, for and in all foreign negotiations; provided that the making of war or peace with any other kingdom or state shall not be without the advice and consent of Parliament.

6. That the said power of the Council of State be put into the hands of trusty and able persons now to be agreed on, and the same persons to continue in that power (*si bene se gesserint*) for the certain term not exceeding seven years.

7. That there be a sufficient establishment now provided for the salary forces both in England and Ireland, the establishment to continue until two months after the meeting of the first biennial Parliament.

IV. That an Act be passed for disposing the great offices for ten years by the Lords and Commons in Parliament; or by such Committees as they shall appoint for that purpose in the intervals (with submission to the approbation of the next Parliament), and after ten years they to nominate three, and the King out of that number to appoint one for the succession upon any vacancy.

V. That an Act be passed for restraining of any Peers made since the 21st day of May, 1642, or to be hereafter made, from having any power to sit or vote in Parliament without consent of both Houses.

VI. That an Act be passed for recalling and making void all declarations and other proceedings against the Parliament, or against any that have acted by or under their authority in the late war, or in relation to it; and that the Ordinances for indemnity may be confirmed.

VII. That an Act be passed for making void all grants, &c. under the Great Seal, that was conveyed away from the Parliament, since the time that it was so conveyed away (except as in the Parliament's propositions), and for making those valid that have been or shall be passed under the Great Seal, made by the authority of both Houses of Parliament.

VIII. That an Act be passed for confirmation of the Treaties between the two kingdoms of England and Scotland, and for appointing conservators of the peace between them.

IX. That the Ordinance for taking away the Court of Wards and Liveries be confirmed by Act of Parliament; provided His Majesty's revenue be not damnified therein, nor those that last held offices in the same left without reparation some other way.

X. An Act to declare void the cessation of Ireland, &c., and to leave the prosecution of that war to the Lords and Commons in the Parliament of England.

XI. An Act to be passed to take away all coercive power, authority, and jurisdiction of Bishops and all other Ecclesiastical Officers whatsoever, extending to any civil penalties upon any: and to repeal all laws whereby the civil magistracy hath been, or is bound, upon any ecclesiastical censure to proceed (*ex officio*) unto any civil penalties against any persons so censured.

XII. That there be a repeal of all Acts or clauses in any Act enjoining the use of the Book of Common Prayer, and imposing any penalties for neglect thereof; as also of all Acts or clauses of any Act, imposing any penalty for not coming to church, or for meetings elsewhere for prayer or other religious duties, exercises or ordinances, and some other provision to be made for discovering of Papists and Popish recusants, and for disabling of them, and of all Jesuits or priests from disturbing the State.

XIII. That the taking of the Covenant be not enforced upon any, nor any penalties imposed on the refusers, whereby men might be restrained to take it against their judgments or consciences; but all Orders and Ordinances tending to that purpose to be repealed.

XVI. That there may be a general Act of Oblivion to extend unto all (except the persons to be continued in exception as before), to absolve from all trespasses, misdemeanours, &c. done in prosecution of the war; and from all trouble or prejudice for or concerning the same (after their compositions past), and to restore them to all privileges, &c. belonging to other subjects, provided as in the fourth particular under the second general head aforegoing concerning security.

These particulars aforegoing are the heads of such Proposals as we have agreed on to tender in order to the settling of the peace of this kingdom, leaving the terms of peace for the kingdom of Scotland to stand as in the late Propositions of both kingdoms, until that kingdom shall agree to any alteration.

Next to the Proposals aforesaid for the present settling of a peace, we shall desire that no time may be lost by the Parliament for despatch of other things tending to the welfare, ease and just satisfaction of the kingdom, and in special manner:

I. That the just and necessary liberty of the people to represent their grievances and desires by way of petition, may be cleared and vindicated, according to the fifth head in the late representation or Declaration of the army sent from St. Albans [l].

II. That (in pursuance of the same head in the said Declaration) the common grievances of this people may be speedily considered of, and effectually redressed, and in particular,

1. That the excise may be taken off from such commodities, whereon the poor people of the land do ordinarily live, and a certain time to be limited for taking off the whole.

2. That the oppressions and encroachments of forest laws may be prevented for the future.

3. All monopolies (old or new) and restraints to the freedom of trade to be taken off.

4. That a course may be taken, and Commissioners appointed to remedy and rectify the inequality of rates lying upon several counties, and several parts of each county in respect of others, and to settle the proportion of land rates to more equality throughout the kingdom; in order to which we shall offer some further particulars, which we hope may be useful.

5. The present unequal troublesome and contentious way of ministers' maintenance bytithes to be considered of, and some remedy applied.

6. That the rules and course of law, and the officers of it, may be so reduced and reformed, as that all suits and questions of right may be more clear and certain in the issues, and not so tedious nor chargeable in the proceedings as now; in order to which we shall offer some further particulars hereafter.

7. That prisoners for debt or other creditors (who have estates to discharge them) may not by embracing imprisonment, or any other ways, have advantage to defraud their creditors, but that the estates of all men may be some way made liable to their debts (as well as tradesmen are by commissions of bankrupt), whether they be imprisoned for it or not; and that such prisoners for debt, who have not wherewith to pay, or at least do yield up what they have to their creditors, may be freed from imprisonment or some way provided for, so as neither they nor their families may perish by imprisonment.

8. Some provision to be made, that none may be compelled by penalty or otherwise to answer unto questions tending to the accusing of themselves or their nearest relations in criminal causes; and no man's life to be taken away under two witnesses.

9. That consideration may be had of all Statutes, and the laws or customs of Corporations, imposing any oaths either to repeal, or else to qualify and provide against the same, so far as they may extend or be construed to the molestation or ensnaring of religious and peaceable people, merely for nonconformity in religion.

III. That according to the sixth head in the Declaration of the army, the large power given to Committees or Deputy-Lieutenants during the late times of war and distraction, may be speedily taken into consideration to be recalled and made void, and that such powers of that nature as shall appear necessary to be continued, may be put into a regulated way, and left to as little arbitrariness as the statute and necessity of the things (wherein they are conversant) will bear.

IV. That (according to the seventh head in the said Declaration) an effectual course may be taken that the kingdom may be righted, and satisfied in point of accompts for the vast sums that have been levied.

V. That provision may be made for payment of arrears to the army, and the rest of the soldiers of the kingdom who have concurred with the army in the late desires and proceedings thereof; and in the next place for payment of thepublic debts and damages of the kingdom; and that to be performed, first to such persons whose debt or damages (upon the public account) are great, and their estates small, so as they are thereby reduced to a difficulty of subsistence: in order to all which, and to the fourth particular last proceeding, we shall speedily offer some further particulars (in the nature of rules), which we hope will be of good use towards public satisfaction. *August* 1, 1647.

Signed by the appointment of his Excellency Sir Thomas Fairfax and the Council of War.

J. Rushworth. [secretary]