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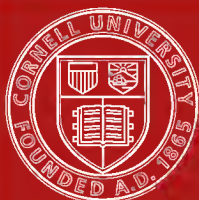
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THE
Early Life of Anne Boleyn:
A CRITICAL ESSAY.

BY
J. H. ROUND, M.A.



LONDON:
ELLIOT STOCK, 62, PATERNOSTER ROW.

1886.

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Preface.

THE appearance, within so short a time of one another, of two works of such marked importance as Mr. Brewer's *Reign of Henry VIII.*, and Mr. Friedmann's *Anne Boleyn*—both of them the fruit of long study and of the most elaborate original research—has invested with a new and striking interest the story of one whose sad career has always possessed a romantic charm, and whose rise and fall, as we are now learning, was closely connected with great events at a crisis of our national history. Mr. Gairdner, who, since the appearance of the above works, has briefly written her life for the *Dictionary of National Biography*, reminds us that “some points in her early history are still beset with controversies.” On these I shall here endeavour to throw some fresh light. I have been led more especially to select this subject, because it will be found, I think, to suggest to those of us engaged in the study of history a useful and needed lesson. We shall, on the one hand, be forced to confess that, boast as we may of the achievements of our new scientific school, we are still, as I have urged, behind the Germans, so far, at least, as accuracy is concerned. We shall find further that, strange as it may sound to those who are not

behind the scenes, the higher criticism of modern scholars has not only failed, in some instances, to extend our previous knowledge, but has even, while professing to correct error, given us error in the place of truth. So, to take an apt illustration, has Naville's discovery of Pithom and identification of Succoth disposed of the modern (Brugsch's) theory that the Exodus was by the northern road, and restored the pre-scientific, or at least the older, view that it was by way of the Wâdy Tumulat.¹

But if it is somewhat disheartening to learn that the new lamps of historical research are at times inferior to the old, it is, *per contra*, no small encouragement to find that even in those fields where the grain has been carefully gathered by the most diligent and skilful of reapers, the humblest gleaner may still work and obtain no small profit. It may perhaps be urged that I should not have ventured to write on a period that I have not studied, or on subjects certainly distinct from those with which I am familiar. To this I reply that the facts must decide, and that if I have succeeded in throwing light on some, at least, of the points in controversy, I shall claim to have proved that none need despair of adding somewhat to the results obtained even by the ablest writers who adorn our English school.

J. H. ROUND.

¹ *The Store-city of Pithom and the Route of the Exodus.*

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"By far the most important contribution, however, is Mr. J. H. Round's paper, entitled 'The Tower Guards.' It is no exaggeration to say that he has added a new chapter to the history not only of London, but of the Great Rebellion also."—*Academy*.

through the Butler heiress.

³ "Pedigrees and Pedigree-makers" (*Cont. Rev.*, June, 1877).

⁴ *Vide infra*. Compare *Letters and Papers*, iv., No. 3937.

The Early Life of Anne Boleyn.

SIR THOMAS BOLEYN, Anne's father, was the grandson, as is well known, of Sir Geoffrey Boleyn, Lord Mayor of London in 1457, who purchased extensive estates in Kent and Norfolk, with Hever and Blickling for their respective *capita*. A list of these estates is given in his *Inq. post mortem* (3 Ed. IV., No. 1), and will be found in the printed Calendar.¹ Mr. Friedmann, however, states that they were bought, not by him, but by his son and successor,² an error which I here note only as suggesting, at the outset, the need for caution.

Now, firstly, as to Sir Thomas himself. It is stated even in the *Extinct Peerage* of the much-abused patron of "Pedigree-Makers"³ that he was the "son and heir" of his father. So, indeed, it has been always believed, and the fact that, as such, he was "one of the Earl [of Ormond]'s heirs-general" as Percy (*teste* Cavendish) reminded Wolsey, is the very pivot on which turns the whole series of the Ormond negotiations.⁴ He is styled for instance in the Carew Papers (vi. 446), edited by Messrs. Brewer and Bullen, "Thomas Lord Rochford, son and

¹ Vol. iv., p. 321 (Record Commission).

² "William, his eldest son . . . retired from business, bought large estates in Norfolk, Essex [*sic*], and Kent," etc., etc. The Essex estates, it may be added (*viz.* Rochford, etc.), were inherited subsequently, through the Butler heiress.

³ "Pedigrees and Pedigree-makers" (*Cont. Rev.*, June, 1877).

⁴ *Vide infra*. Compare *Letters and Papers*, iv., No. 3937.

heir to Dame Margaret Bulleyne." Now Mr. Brewer himself, on this point, writes merely as follows :

"He was the [*sic*] son of Sir William Boleyn of Blickling, Norfolk, and of Margaret daughter and co-heir of Thomas Butler, Earl of Ormond. . . . The estate at Blickling descended to Sir James, who died without male [*sic*] issue.¹ As he was still living in 1534, Anne Boleyn could never have resided on the estate at Blickling."—*Reign*, ii. 164-5 ; *Letters and Papers*, iv., ccxxv.

The writer, it will be seen, does not commit himself as to who "Sir James" was, or why he, and not Sir Thomas, succeeded to Blickling. Mr. Friedmann, we find, goes further :

"James Boleyn, the eldest son, was to inherit the bulk of the family property. . . . Thomas Boleyn, the second son of Sir William, inherited some of his grandfather's ability, and went to court to make his fortune in the royal service."

Mr. Gairdner's testimony is to the same effect, asserting, as he does, that :

"Sir Thomas . . . had an elder brother Sir James, to whom the Norfolk estate first descended."—*Dictionary of National Biography*, i. 425.

Strange as the statement may doubtless appear, the old belief is entirely correct, and these three eminent authorities are all equally mistaken. We need not appeal to the Ormond evidence, to which I have already alluded. We have only to turn to Blomefield's *Norfolk* (1807) to learn that Sir Thomas was the "eldest son and heir" of his father, in succession to whom

"He held this manor [Blickling] of the Bishop of Norwich, and paid 3s. 6d. every 30 weeks for castle guard."²

That Blomefield, though his account is not wholly accurate,³ is

¹ He died without *any* issue, and was succeeded by the heirs, not of a daughter, but of a sister.

² *History of Norfolk*, vi. 388.

³ As in stating (p. 389) that "George Boleyn, Viscount Rochford, was summoned to Parliament *by that title*," and that Alice Boleyn, wife of Sir John Clere, was "at length co-heir to Sir Thomas and Sir James." Both these statements are, in strictness, erroneous. The error as to George Boleyn is a common one. Burnet, for instance (*History of the Reformation* [1829], i. 406), states that he "was a peer, *having been created a viscount* when his father was created Earl of Wiltshire."

on this point absolutely correct, is clear from such documents of those calendared by Mr. Brewer himself, as the pardon and release to Sir Thomas as "of London, *alias* of Hever, of *Bliklyng Norff.*" (6 March, 1513),¹ or the grant to him of a fair "at the town of Blyklyng, Norf." (15 June, 1533).² Lastly, here is the conclusive evidence afforded by his father's will, evidence which has been in print for the last sixty years:

"I will that my son Thomas Boleyn, according to the will of Geoffrey Boleyn my father, have the manors of *Blickling*, Calthorp, Wykmoré, and Mikelbarton, to him and his heirs male, he paying to Dame Margaret my wife ce marks yearly."³

It is clear then that Thomas Boleyn succeeded his father, as son and heir, at Blickling on his death (1505).

The mistake seems to have arisen thus. "After the death of Anne Boleyn's father," as Miss Strickland observes, "Blickling fell into the possession of the infamous Lady Rochford, on whom it had possibly been settled as dower."⁴ She in her turn fell a victim to Henry at the close of 1541, and on the 22nd February, 1541-2, we read that—

"The King's hignes had appoynted to Sir Jamys Boulloyme Knight syche stuff as remayned in the hows of Blickling lately appertayning to the Lady off Rochefort,"⁵ etc., etc.

"Sir Jamys," thus succeeding to Blickling, not in 1505, but in 1542, died, seized of it, in 1561, and was buried there.⁶

Having disposed of the birth of Sir Thomas Boleyn, let us now turn to his marriage. On this Mr. Brewer writes:

"What was the connection of his family with the Howards, or what could induce the premier and proudest duke of England to match his daughter with a commoner of no distinction and of little wealth, must be left to conjecture. It is not easier to discover by what influence Sir

¹ *Letters and Papers*, i., 503. Such descriptions were common (*ad majorem cautelam*) with the Tudor Lawyers.

² *Ibid.*, 1533, p. 331.

³ Nicolas's *Testamenta Vetusta* (1826), p. 465.

⁴ *Queens of England* (1842), iv. 161.

⁵ Nicolas's *Proceedings of Privy Council*, vii. 310.

⁶ Blomefield's *Norfolk*, vi. 388-9.

Thomas was brought forward into public life, or to whom he owed his advancement."¹

Mr. Gairdner, editing the above, in *The Reign of Henry VIII.*, rightly adds the explanatory note :

"The Duke of Norfolk whose daughter Sir Thomas Boleyn married. He was only Earl of Surrey, however, at the time."

It may be added that not only was the dukedom under attainder at the time of the match in question, but that, even if it had been in existence, it would not have been the "premier" one, the dukedom of Buckingham then, and till 1521, enjoying precedence above all but those held by the blood royal, under patent of 22nd May, 1447.²

By Mr. Friedmann we are similarly reminded that—

"This marriage, at the time it was concluded, was not so brilliant for Thomas Boleyn as it might now appear."—ii., 39.

Still, though he shows that the fortunes of the Howards were not, at the time, at a high ebb, he can only attribute to Sir Thomas, "being a young man of good address," the fact that he succeeded in obtaining even a fair match.

But Sir Thomas possessed attractions more solid than a "good address." Not only, as I have shown, was he himself the heir to his father's broad estates, but also, through his mother, to at least the half of the vast possessions, both in England and Ireland, of his grandfather, the Earl of Ormond. I say "to at least the half," for we learn from the Earl's Will, quoted in Carte's work, that he gave Sir Thomas Boleyn, though the son of his younger daughter, the preference over the elder and her issue, as his heir.³ The Earl, who resided in England, and sat

¹ *Letters and Papers*, iv., ccxxv-vi.

² *Rot. Pat.*, 25 Hen. VI., n. 31.

³ See Will (dated 31st July, proved 31st August, 1515), in Introduction to Carte's *Life of James Duke of Ormond*, with its remarkable bequest "to Sir Thomas Bullen and his issue male, whom failing, to Sir George St. Leger and his issue male," of "a white horn of ivory," which "my Lord and Father commanded me upon his blessing that I should do my devoir to cause it to continue still in my blode, as far furth as might be in me to be done to the honor of the same blode."

as an English peer, was "one of the richest subjects in the King's dominions,"¹ having inherited £40,000, "besides plate," from his predecessor. His real estate was so extensive that in England alone his daughters succeeded to seventy-two manors.² We have surely in this strangely neglected fact a suggestive reply to Mr. Brewer's fruitless inquiry "by what influence Sir Thomas was brought forward into public life, or to whom he owed his advancement."

It is a singular coincidence that both father and son should have enjoyed the same matrimonial luck. Just as the father-in-law of Sir Thomas arose from an attainted man to be a powerful Duke of Norfolk, so the father-in-law of Sir William Boleyn, his father, had been not only an attainted man, but a younger son, "Thomas Ormond." Indeed, the wealthy Earl, whose treasures were to enrich the Boleyns, had proved, till he succeeded to the title, so needy a father-in-law that both Sir William Boleyn and his mother had continually to lend him money.³ Neither father nor son could have dreamed, when they married, how brilliant their matches would eventually prove.

Before leaving Sir Thomas we may fairly ask why a letter to him from his mother should be calendared as "[Mary (*sic*) Boleyn] to Sir Thomas Boleyn;"⁴ when his mother's name was, notoriously, not Mary, but Margaret (as even these calendars bear witness); and why it should be placed, as of "uncertain date," in a calendar of 1509-14,⁵ though avowedly written on receipt of the news of the Earl's death,⁶ which death took place, as is well known, in August, 1515.⁷ Why, again, should Mr.

¹ Carte, p. xliv.

² *Ibid.*

³ See his bonds to them (1472-85) in Harleian Charters, 54 D. 52-57. I have never seen any mention made of this curious fact.

⁴ *Letters and Papers*, i., p. 976, No. 5784.

⁵ *Ibid.*

⁶ "I understand to my great heaviness that my Lord, my father, is departed this world."

⁷ "1515" is the date given in the ordinary Peerages. Mr. Brewer himself rightly lays stress on "the accuracy of that chronological arrangement of documents which is of paramount importance to students of history."—Vol. iii., p. cccxxxiv.

Brewer state that "Margaret's sister Anne, from whom Anne Boleyn received her name, was married to Sir George [*sic*] St. Leger,"¹ and actually give as the authority for that statement a document in his own calendar which speaks, we find, of "James [*sic*] Seynt Leger and Ambrose Griseacre, husbands of the said Anne,"—"Sir George," her alleged husband, being no other than her son!² It is in no spirit of carping criticism that these questions are asked. My object is to point an old moral: "If they do these things in a green tree, what shall be done in the dry?" If an expert, endowed with such transcendent ability as, in Mr. Gairdner's judgment, was Mr. Brewer, "a man," in Mr. Brewer's own words, "who has by the nature of his work been compelled to study the original documents with impartiality and extreme minuteness,"³ and dealing with his own special subject, treating of the period he had made his own, and writing, above all, with the original documents before him, could make, here and elsewhere (as we shall find), mistakes on the simplest matters of fact, what can we expect of the general historian, who has not the expert's advantages? How, to take the very instance above, can we wonder that Mr. Froude should confuse Sir George St. Leger with the famous Sir Anthony, and argue from the fact that the latter was (consequently) "the Queen's cousin," when the same Sir George, even by Mr. Brewer, is confused with his own father?

Let us now pass to the birth of Anne Boleyn herself. This is one of the most important points that I propose to discuss in this essay. The accepted date for this event, on the authority of a marginal note in Camden, is, as is well known, 1507. Against this date there is a presumption at the outset. For if Anne was indeed born in 1507, she was only six or seven when

¹ *Reign*, ii. 164.

² Mr. Brewer's reference runs thus (ii. 164, *note*): "See her license to found a chantry 'called Hangfordis Chapell' . . . for herself, the St. Legers, and this Margaret Boleyn, her sister, then a widow. . . . Margaret Boleyn was alive in 1520." Alive in 1520? She was certainly living at least as late as 1536 (28 Hen. VIII., cap. 3).

³ *Letters and Papers*, iii., p. ccccxix.

she went, as a maid of honour, to France ; only twelve or thirteen when she was proposed, in 1520, as a bride ; and only fourteen or fifteen when wooed and won by Percy.¹ The date in question was, however, accepted by every writer, as Mr. Friedmann says, with one exception that he has overlooked. That exception is Miss Strickland. It is highly to the credit of that lady that, writing as she did so far back as 1842, she gave her reasons for rejecting that date, and for holding that Anne " must have been born about 1501."² This, as will be seen, though on sounder grounds, is the conclusion to which I myself incline, and it obviously affects in a marked degree our views on the whole of her early life.

Mr. Friedmann writes thus :

" It has been generally held that Anne Boleyn was born in 1507, the authority for this date being a passage and a marginal note in Camden's *History of Elizabeth*. Dr. Lingard, Mr. Froude, and Dr. Brewer accept the statement of Camden as good evidence ; but in this opinion I am unable to agree with them. Camden wrote more than fifty years after Anne's death, and in many instances his account of her early life can be proved to be quite incorrect. In this case also he is, I think, mistaken. Happily, some evidence has been preserved as to Anne's age. At Basel there is a picture of her, painted by Holbein, which bears the inscription : ' HR. 1530—*ætatis* 27.' It bears also the words (added later) : ' Anna Regina.' From this portrait, the authenticity of which is above suspicion, it would appear that in 1530 Anne Boleyn was in her twenty-seventh year, which would place her birth in 1503 or 1504. She may have been rather older, for women so vain as Anne generally give themselves out for somewhat younger than they are."³

We may observe that if Anne was in 1530 twenty-seven years of age, she must have been born in 1502 or 1503, as correctly stated by Mr. Friedmann in the body of his work,⁴ and not " in 1503 or 1504," the date, as above, in his appendix, being the one that Mr. Gairdner quotes.⁵

¹ In 1522 *ex hypothesi* Messrs. Brewer and Gairdner.

² Vol. iv., pp. 159, 172, 297.

³ *Anne Boleyn*, ii. 315.

⁴ Vol. i., pp. xxxvii., 39.

⁵ *Dictionary of National Biography*, i. 429.

On Mr. Friedmann's argument Mr. Gairdner observes :

"Some points in her early history are still beset with controversies on which I cannot, for my part, think Mr. Friedmann a very safe guide. The date of her birth—which Camden says was 1507—he puts back to 1503 or 1504. . . . But Camden is a high authority," etc., etc.¹

The question of the date of Anne's birth will be found to hinge on that of her seniority or juniority to her sister. For as we have a fixed point in the date of her sister's marriage (4th February, 1520),² it is obvious that if Anne were the elder of the two, she must have been more than twelve or thirteen when her younger sister was married. We should therefore have to dismiss at once Camden's date of 1507. This is virtually admitted by Mr. Brewer when he urges that the acceptance of the 1507 date is only compatible with the view that Anne was the younger sister.³ We have then to ask the question: Which was the elder sister? But this question, again, turns on the answer we may give to a further one, viz.: Which of the two daughters was it who went to France, in Mary's train, in October, 1514? Mr. Brewer urges that the "Miss Boleyn" who so went to France must have been the elder sister,⁴ and Mr. Gairdner's conclusion is equally definite :

"All that we can say is that it was the elder sister who went to France in 1514."⁵

Who then was this "Miss Boleyn"? Mary or Anne? All historians, down to Mr. Brewer, have taken it, without excep-

¹ *Academy*, Nov. 1st, 1884, p. 282.

² It will be shown below that the particulars of this marriage have never been correctly given, Messrs. Brewer and Gairdner being (apparently) right in the date, but wrong in the husband's name, while all other historians have been right in his name, but wrong in the date, with the exception of Mr. Froude, who is wrong in both.

³ "As her sister Mary was already married before her in 1520 to Sir [*sic*] William Carey, we must infer that Mary was the elder sister."—*Letters and Papers*, iv. ccxxvi. ; *Reign*, ii. 165.

⁴ *Letters and Papers*, iii., p. cccxxx., note.

⁵ *Academy*, Nov. 1st, 1884, p. 282.

tion, to refer to Anne herself. Mr. Brewer, however, writes thus :

"I take this opportunity of correcting a common error. It was not Anne, but Mary Boleyn, her elder sister, who attended the Princess into France ; and no doubt it is Mary, and not Anne Boleyn, who was *filie d'honneur* to Margaret of Savoy, and the subject of that lady's letter to Sir Thomas Boleyn, cited by M. le Glay in his able edition of the *Lett. de Mar.*, etc., ii., p. 461. This letter has never attracted the attention of English historians, strangely enough. See especially the letters of Worcester, Oct. 3rd."¹

In his third volume he recurs to this subject, and vigorously denounces "the popular statement" that Anne Boleyn went to France in 1514, as a "perversion of the earlier facts of her life."² Lastly, in his fourth volume, he thus dismisses it for good :

"The supposition, founded on the list of Queen Mary's attendants, that she, and not her sister Mary, is the person alluded to as 'M. Boleyn,' is worthy of no credit, long as it has maintained its place in popular histories. The mistake has arisen from the habit of confounding one sister with the other ; a blunder from which even the late editors of the State Papers of Henry VIII. have not entirely escaped."³

Nothing, we see, could be more positive.

It is therefore, at first, somewhat surprising to find Mr. Friedmann boldly asserting that "the popular statement" was right, and Mr. Brewer entirely mistaken :

"Most historians have been of opinion that Anne Boleyn was sent to France with Mary Tudor, when Mary went to marry King Louis XII. Mr. Brewer strongly opposes this view. . . . But the charge which Mr. Brewer brings against his opponents that they have followed 'with little examination and some additions' the account which Cavendish gives in his *Life of Wolsey* is not justified. Cavendish's book does not contain, as Mr. Brewer pretends, 'the earliest notices of her career.'⁴—*Anne Boleyn*, ii. 315.

¹ *Letters and Papers*, i. lxx., note ; *Reign*, i. 39, note.

² *Ibid.*, iii. cccxxx., note.

³ *Ibid.*, iv. ccxxxiii.; *Reign*, ii. 107. So also Mr. Gairdner (*Dict. of Nat. Biography*, i. 425) : "She had . . . an elder sister Mary, some parts of whose personal history have been confused with her own. It was Mary Boleyn, not Anne, who went over to France in the suite of Henry VIII.'s sister Mary," etc., etc.

⁴ *Letters and Papers*, iii. cccxxx.

The writer might have added that even if it were so, Camden, to whose authority Messrs. Brewer and Gairdner trust so implicitly for the date of birth, wrote much later than even Cavendish. He contents himself, however, with a brilliant array of virtually contemporary evidence, all pointing emphatically to the fact that it was indeed Anne who went to France in 1514. This, it may be observed, entirely confirms Herbert's statement in his *Henry VIII.*, that it "is proved by divers principal authors, both English and French, besides the manuscripts I have seen," that "Anne Boleyn went to France with Mary the French Queen in 1514."¹ Mr. Friedmann's wide and profound knowledge of the period upon which he has written is nowhere more evident than in this array, at the close of which he justly observes:

"If all this evidence had been known to Mr. Brewer, he would have admitted that it was Anne who went to France in 1514. Had he done so, he would have found it difficult to maintain that Anne Boleyn was the younger and Mary Boleyn the elder sister. For, on his own showing, the younger sister remained at home and would not have been called Miss Boleyn."—*Anne Boleyn*, ii. 318.

In this Mr. Friedmann is perfectly right. If it was indeed Anne who went to France in 1514, then, by Mr. Brewer's own admission, Anne must have been the elder sister; and if the elder, must (also, by his admission) have been born some years before 1507. Moreover, if Anne went to France in 1514, that fact is direct, as well as indirect, evidence as to her age. For, as Mr. Brewer himself reminds us:

"No one will suppose that a child of seven years old would be taken from the nursery, and her name be inserted in an official list of *gentlewomen* appointed to attend on the Princess of England at her approaching marriage with Louis XI., 'to do service to the Queen.'"²

The writer forgot that this reasoning would cut both ways, and that it now enables us, on his own authority, to reject his date of birth (1507) as too late.

¹ Ed. 1672, p. 287.

² *Reign*, ii. 107.

Mr. Gairdner, however, has valiantly striven to uphold Mr. Brewer's assumptions. This, he writes, is a

"question in which I must further express my dissent from Mr. Friedmann's view. Anne Boleyn, he maintained, was older than her sister Mary; and he recurs to the old view discredited by Mr. Brewer, that it was Anne, and not Mary, who went to France in the train of Henry VIII.'s sister Mary when she was married to Louis XII. in 1514. Certainly, if Anne was the elder sister, it was she who went to France on that occasion; and Mr. Friedmann brings some early testimony to support this view with which Mr. Brewer was unacquainted. But it must be observed that if both sisters went to France, though in different years (and this is Mr. Brewer's hypothesis), it was the most natural thing in the world for a foreign writer, just after Anne's death, to confound the two."¹

But, it must be remembered, "Mr. Brewer's hypothesis," or, as he himself terms it, his "opinion,"² that Anne Boleyn went to France in 1519, five years after her sister, is absolutely without a scrap of evidence to support it, and is merely a device for reconciling the fact of Anne's undoubted stay in France with his own rejection of "the popular statement" that she was the "Miss Boleyn" who went there in 1514. It is, indeed, accepted by Mr. Gairdner, in his biography of Anne Boleyn,³ but it cannot form the groundwork of an argument, or afford any answer to Mr. Friedmann's direct evidence.

There remains, therefore, but one rock as an obstacle in Mr. Friedmann's path. He has shown that Anne went to France in 1514, and that consequently, by the admission of his opponents, she must have been the elder sister. What then becomes of Lord Hunsdon's letter, in which she is represented as the younger? On the point of her seniority Mr. Brewer writes:

"Any doubt on that head is entirely dispelled by the petition presented to Lord Burghley in 1597, by Mary's grandson, the second Lord Hunsdon, claiming the Earldom of Ormond in virtue of Mary's right as the elder daughter. It is inconceivable that Lord Hunsdon could have been mistaken in so familiar a fact; still more that he should have ventured to

¹ *Academy* (*ut supra*).

² *Letters and Papers*, iii. cccxxx.

³ *Dictionary of National Biography*, i. 425.

prefer a petition to the Queen in which her mother was described as the younger sister, if she had in truth been the elder.”¹

Mr. Friedmann replies :

“It is true that Mr. Brewer adduces what he considers good direct evidence for the opinion that Mary was the elder sister. . . . I do not know whether Mr. Brewer had ever read the letter of Lord Hunsdon to which he refers. It certainly cannot have been present to his mind when he wrote this passage.”²

At this point I break off, to quote, transcribed from the original, the passages material to the issue. Mr. Friedmann, I may observe, is in strictness justified in objecting to Mr. Brewer’s reference to this document (*ut supra*) as “a petition to the Queen.”

LORD HUNSDON’S LETTER.

[6th Oct., 1597.]

“My late Lo : Father as resolued by the opinion of Heralds and Lawyers ener assured me that a right & title was to descende on me to the Erledome of Ormonde, which if he had liued to this Parlament he meant to haue chalendged, if her Matie had not cast some greater honor uppon him, the breife of whose title was I well remember In that Sr Thomas Bullen was created Vicount Rocheforde and Erle of Ormonde to him and his heires generall, Erle of Wiltshire to him and his heires male, by whose death wthout issue male the Erldome of Wilshire was extinguished, but the Erldome of Ormonde he suruiuinge his other children before that time attainted, he in right lefte to his eldest daughter Marye, who had issue Henrye, and Henrye my selfe. . . . Her Matie is A Coheire wth me to the said Erledome viz : daughter and heire of Anne yongest daughter of the saide Sr Thomas Bullen late Erle of Ormonde. . . . The saide dignitie of the Erledome of Ormonde togeather with his Lands Mannors and Tenements descended to my grandmother his eldest daughter and sole heire and accordinglie she sued her liuerie as by the recorde of the same doth and maie appeare. But admytt now an equallitie of desent then is it to be considered whether my Grandmother beinge the eldest daughter ought not to haue the whole dignitie as in the Erldome of Chester,” etc.³

It will be seen at once that Mary’s seniority is an essential

¹ *Reign*, ii. 165.

² *Anne Boleyn*, ii. 319.

³ *State Papers (Domestic)*, *Elizabeth*, vol. cclxiv. fo. 283.

point in Lord Hunsdon's argument. Mr. Friedmann, however continues thus :

"From the fact that Mary Boleyn inherited her father's estates Lord Hunsdon seems to have inferred that she was the eldest daughter ; but she was her father's 'sole heir,' not as his eldest daughter, but as his only surviving descendant ; Elizabeth being at that time considered a bastard and legally non-existent. The argument based on Lord Hunsdon's letter therefore falls to the ground."¹

On this Mr. Gairdner's comment is that—

"Mr. Friedmann certainly has not greatly weakened the evidence of Mary Boleyn's seniority contained in Lord Hunsdon's letter."²

But he might have spoken more confidently than this, and have shown that it is not Mr. Brewer's argument, but Mr. Friedmann's criticism, which "falls to the ground."

Let me explain how this is so. In the first place, Lord Hunsdon himself tells us why Mary was the "sole heir," namely from her father "surviving his other children before that time attained" ; and in the second, he not only knew the right explanation, but also cannot possibly have inferred (as Mr. Friedmann suggests) the wrong one. For, even had he been ignorant, which he was not, of the attainders and their consequences, he could not have "inferred" from Mary's heirship "that she was the eldest daughter," for that (in England) would only have made her a co-heir, not a *sole* heir, a fact, perhaps unknown to Mr. Friedmann. I repeat, then, that his criticism "falls to the ground."

Are we then compelled to agree with Mr. Gairdner that

"It is simply inconceivable that the grandson of Mary Boleyn should have consulted Cecil on the expediency of claiming a title from the Crown on the plea that Mary was the elder sister of the reigning Queen's mother, if the fact had been the reverse."³

Let us see. It is passing strange that no one should have observed the astounding error of Lord Hunsdon when he states that his ancestor, Sir Thomas Boleyn

"was created Vicount Rocheforde and Erle of Ormonde to him and his

¹ *Anne Boleyn*, ii. 319.

² *Academy* (*ut supra*).

³ *Academy* (*ut supra*.)

heires generall, Erle of Wiltshire to him and his heires male, by whose death wthout male issue the Erldome of Wilshire was extinguished."

For in 1525 Sir Thomas was created Viscount Rochford to him and his heirs-*male*, and in 1529 (when he received the earldom of Wiltshire) Earl of Ormond to him and his heirs-*general*. It is, no doubt, "simply inconceivable" that Lord Hunsdon should have been so mistaken as this on a simple and fundamental question of fact, which has always been matter of common knowledge. And yet, as a fact, he was.

Yet even his critic has so completely failed to detect this startling error, that he not only accepts the statement as true, but actually bases an argument upon it. For Mr. Friedmann writes as follows :

"The fact that he was not recognised as Viscount Rochford and Earl of Ormond, but that his son [*sic*],¹ after the death of Elizabeth, was created Viscount Rochford, goes some way to prove that Anne was older than Mary."²

Had the writer been aware that the Viscountcy of Rochford was granted to Sir Thomas and his heirs-*male*, he would neither have accepted the statement, nor made it the base of an argument.

Nor is even this all. In the course of his letter he specially refers to an Act of the Irish Parliament, the chief obstacle to his own claims, as it still is to that of his heirs. He actually urged that there was no such Act, and that no trace of it was anywhere to be found. And yet this Act is well known, and was duly produced in our own days, in support of the claim to the Earldom of Ormond, which dignity is still held under its provisions.

I think then I may fairly claim to have done what Mr. Friedmann endeavoured, but failed to do, namely to discredit Lord Hunsdon's evidence. But if there are any who would still maintain that on Mary's seniority he cannot have been mistaken,

¹ Here Mr. Friedmann is further mistaken. It was not his son, but his nephew, who was so created, a difference of essential importance, for his claim as the heir of the Boleyns passed to his daughter, and not to his nephew, so that the latter could not in any case have claimed the Viscountcy as his right.

² *Anne Boleyn*, ii. 320.

I refer them to testimony which they will not question, and which would seem to have been hitherto overlooked. This is the monument to Lady Berkeley, Lord Hunsdon's daughter and sole heiress. As her father's claim to the Earldom of Ormond descended in full to her and her heirs, her descent from Sir Thomas Boleyn is set forth with special care.

"Here lieth the body of the most vertuous and prudent Lady, Elizabeth Lady Berkeley, widow, daughter and sole heir of George Carey, Lord Hunsdon, son and heir of Henry Carey, Lord Hunsdon, son and heir of William Carey, and the Lady Mary his wife, *second* daughter and co-heir of Thomas Bullen, Earl of Ormond and Wiltshire, father also of Queen Ann Bullen, wife to King Henry VIII., mother of Queen Elizabeth, late Queen of England."¹

The evidence of such inscriptions is rightly questioned where they are designed, as usual, to favour the claim of a family; but where, as might be said, they go out of their way ultroneously to reject such claim, their evidence is the strongest of all.

There was nothing to be gained by so pointedly describing Lady Berkeley's ancestress as the "second" daughter, and thus directly traversing the allegation in her father's letter.

Here then we learn the useful lesson that no assumption, however probable, can dispense with the need for patient research, that we cannot sift too carefully even the most plausible evidence, and that facts which appear "simply inconceivable" may, none the less, prove to be true.

I obtained my conclusion by careful investigation, and a further inquiry has but confirmed it, for, although the fact has not been noticed, Ralph Brooke, in his *Catalogue of the Nobility*, published shortly after Camden's *Annals* (1619), styles "Anne the eldest" and "Mary the second daughter." As this statement was not challenged even by the Argus-eyed Vincent in his *Discoverie of Brooke's Errors*, and as both writers were men "who belonged to the College of Heralds,"² their evidence is a strong confirmation of the conclusion I have given above. Further research among MS. pedigrees has pro-

¹ Collins's *Peerage*, vol. iii., p. 616.

² *Academy* (*ut supra*), where Mr. Gairdner lays stress upon this qualification in the case of Camden.

duced little more, save that in one of the pedigrees of Bullen, apparently of the time of Charles I., we read, "Mary Bullen *second* dau : wife of William Cary Esq. of the body to K. Henry VIII." ¹ In short, all the evidence points the same way. But as stress has been laid on the knowledge possessed by the Members of the College of Arms, it is most satisfactory that among its archives there is preserved a formally attested pedigree (1679) in which we read:—"1. Anne Bollin March. of Pembroke *eldest* dau^r," and "Mary Bollin dau^r and heire." This pedigree is duly recorded to be "Proved out of certain Registers and Memorials remaining in ye College of Arms." ²

Thus by converging paths I arrive at Mr. Friedmann's conclusion. It was shown by him that Anne went to France in 1514, and that she was, therefore, the elder sister. It has been shown by me that she was the elder sister, and that it was, therefore, she who went abroad in 1514. Thus the view we support is proved twice over, while that of Messrs. Brewer and Gairdner is shown to be devoid of foundation.

We are therefore in a position absolutely to reject so late a date as 1507 as that of Anne's birth.

But what shall we put in its place? Lord Herbert's calculation that she returned to England "about the twentieth year of her age" is found to rest on Camden's work, and therefore affords us no test. If we fall back on the Basel portrait, to which Mr. Friedmann refers us, its evidence points to Anne Boleyn having been only about eleven when she went to France as a maid of honour. But then, as he himself shrewdly observes, "she may have been rather older" than she admitted in 1530. Sanders, indeed, as Mr. Brewer reminds us, "assigns Anne's first visit to France to her fifteenth year." ³ But in cases

¹ Harl. MSS., 1233, fo. 81.

² I gladly take this opportunity of mentioning that I owe my knowledge of this pedigree to the kindness of my friends Sir Albert Woods, Garter Principal King of Arms, and G. E. Cokayne, Esq., Norroy King of Arms.

³ *Reign*, ii. 171. His words are: "Cum quindecim esset annorum . . . in Gallias mittitur" (*De origine ac progressu Schismatis Anglicani* [1585] p. 16).

where they can be tested, his statements are grossly inaccurate. Perhaps, as a conjecture, we may split the difference and assign her birth to about 1501.¹ This would make her thirteen at the time of her departure for France. She is scarcely likely to have been sent there younger. We have, it may be added, one calculation which would place her birth earlier than the year 1500. This we obtain by combining Cavendish's statement that her brother was twenty-seven when he was appointed of the King's privy chamber in 1527,² with Mr. Friedmann's assertion that he was younger than Anne.³ But for this assertion, I regret to say, no evidence is given.

So also we have Mr. Brewer's statement that her sister Mary married again "at the ripe age of thirty" (1534).⁴ This would place Mary's birth in 1503-4, and she, we know, was the younger sister; but here again Mr. Brewer's authority, though probably sound, is not given, and the date implies that Mary was so young as fifteen or sixteen when she married her first husband.

If, however, we place her birth as, in any case, not later than 1501, it follows that when she returned to England in 1521-2, she was not (as by Mr. Brewer's calculation) a girl of fourteen or fifteen, but a young woman of twenty-one. This discovery obviously affects all our views on her early life, of which not the popular, but Mr. Brewer's, account must consequently be, in his own words, a "perversion of the facts."

We now come to an important episode in the early life of Anne Boleyn, an episode on which I shall have much to say, for

¹ Could 1507 have arisen from a misreading of this date?

² "My soverayn lord in his chamber did me assay
Of yeres thryes nine my life had past away;
A rare thing suer seldom or never herd
So yong a man so highly to be preferred."

"Metrical Visions," Singer's *Cavendish*, vol. ii.

³ "She [Anne] had a good many brothers and sisters, but most of them died young. The only survivors were her brother George and her sister Mary, both of them younger than Anne."—*Anne Boleyn*, i. 39.

⁴ *Letters and Papers*, vol. iv., pp. ccxxvi. ccxxix.

it has proved the source, to all who have touched it, of a confusion, the history of which is not a little curious and instructive. I allude to the Ormond negotiations.

Mr. Friedmann writes :

"That she [Anne] returned to England in 1522, about the new year, is proved by the papers cited by Mr. Brewer. These papers also settle the date of the negotiations for her marriage with one of her Irish cousins." —(Vol. ii., p. 321.)

But this is not so. These negotiations date themselves, and their date can in no way be settled from that of Anne's return.

The main facts of the case were these. On the death of the Earl of Ormond (Anne's great grandfather) in 1515, his English possessions passed to the St. Legers and the Boleyns as his co-heirs; but the Earldom of Ormond, with the Irish estates, were claimed by his kinsman and heir-*male*, Sir Piers Butler, "the Red." It has, indeed, been pretended that the latter was in the right, and Mr. Gilbert asserts that the earldom "was entailed upon male heirs."¹ But the earldom, as a matter of fact, was "limited" to heirs-general (*hæredibus*), and the Irish chieftain trusted to his power and to the sympathy of his fellow-countrymen, rather than to any legal right. The *State Papers* bear witness that his claim was opposed from the very first by the English heirs-general, especially by Sir Thomas Boleyn. The factors in the problem stood thus: The Irish chieftain trusted to his might to secure both the title and the estates; Sir Thomas claimed as his right a moiety of these same estates, and hoped to secure with them the Ormond title for himself; the King, while favouring his courtier, Sir Thomas, was loth to offend the House of Butler, who, as Mr. Brewer truly observes, "had been loyal and important allies of the English sovereign in their unhappy disputes with their Irish subjects."² He also, I suspect, was quite alive to the advantage, as

¹ "*Viceroy of Ireland*" (by J. T. Gilbert, Secretary P.R.O. of Ireland), p. 443. I have seen a letter from the Butlers strongly urging this; but such an assertion is unworthy of credit, until the evidence is produced.

² *Letters and Papers*, iii. ccxxxviii.; *Reign*, ii. 173.

a piece of statecraft, of leaving the question undecided, and so keeping the heiresses' claim as a lever with which to work upon the Butlers in case of their wavering in their allegiance.

Thus matters dragged on for nearly five years. To the advent of Surrey as Lord Deputy, May, 1520, is to be traced the attempted compromise by which it was hoped to settle the dispute. Surrey, on the one hand, was brother-in-law to Sir Thomas; on the other, his frank and chivalrous nature was warmly attracted by Sir Piers Butler. He wrote with enthusiasm to England:

"He shewith hym self ever, with his good advyse and strength, to bring the Kinges entended purpose to good effect. Undoubtidly he is not only a wyseman, and hath a true English hert, but also he is the man of moost experience of the feautes of warre of this cuntrey of whome I have, at all tymes, the best counsail of any of this land."¹

He accordingly felt that the loyal chieftain had not met with his deserts, and that the time had come when he ought to be recognised as possessor of the title and estates. It further occurred to him that Sir Thomas Boleyn might be induced to surrender his claim if it were arranged that his daughter should marry the Butlers' heir. Such an arrangement is often to be met with throughout our early history, as when the cunning Count of Meulan promised Ivo de Grentmesnil that his niece should marry Ivo's heir, and bring with her Ivo's lands,² or when the ousted Berkeley strove to end the long struggle for his ancestral estates by marrying the daughter of his arch-opponent Margaret, Countess of Shrewsbury. Lingard and Miss Strickland, rightly, assign this suggestion to Surrey. Mr. Brewer assigns it to the King. In this, as we shall find, he is mistaken. Mr. Brewer writes thus:

"Henry thought the dispute might easily be adjusted by marrying Anne to Sir Piers Butler. Accordingly he wrote to Surrey, her uncle, afterwards Duke of Norfolk, to inquire whether the Earl of Ormond, the father of Sir Piers, would consent. In October the Earl, in a letter to Wolsey, gave a favourable reply to the overture."³

¹ Surrey to Wolsey, 3rd Nov., 1520.

² *Ordericus Vitalis.*

³ *Letters and Papers*, iii. cccxxxii., iv. ccxxxviii.; *Reign*, ii. 173.

Here Mr. Brewer has confused the letters, which he had himself calendared, and has misunderstood their evidence. What really took place was this. Surrey in the first place wrote to Henry, for though this letter is not preserved, its existence is proved by Henry's reply.¹ That reply ran thus:

"And like as ye desire us to indeavour our selff, that a mariage may be had and made betwixt thErle of Ormondes sonne, and the daughter of Sir Thomas Bolain, Knight, Countroller of our Householde; so we woll ye bee meane to the said Erle for his agreable consent and mynde therunto, and advertise Us, by your next letters, of what towardnesse ye shall fynde the Erle in that behalf. Signifying unto you, that in the meane tyme We shall advaunce the said matier with our Comptroller, and certifie you how We shall finde hym inclined thereunto accourdingly."²

The next letter, so far from being a "reply" to the above, was probably, from a comparison of the dates, written before its receipt, and was, in any case, a fresh appeal for the match, addressed this time to Wolsey, and proceeding both from Surrey and his Council. I would call attention to the reference they make to their personal interview with Wolsey on some former occasion, and to their statement that, on that occasion, they had pressed this scheme upon his notice.

"And where at or beeing with yor grace diuers of us moeved you to cause a maryage to bee solempnyssed betwene Therll of Ormonds son beeing with yor grace and Sr Thomas Boleyns daughter. We thynk yf yo grace caused that to bee doon And also a fynall ende to be made betwene theyme for the tytyle of lands depending in varyaunce it shuld cause the said Erll to bee the better wylled to see this land brought to good order. Notwithstanding undoubtedly we see not but he is as wel mynded thereunto and as redy to geve his good advyse and Counsaill in all causes for the furtherance of the same as we can wyssh hym to bee."³

¹ Unless the reply possibly refers to the *personal* solicitation alluded to in the next. In any case the proposal was made to, and not by, Henry.

² Henry to Surrey (*State Papers, Domestic*). Letter assigned to "September, 1520." This letter acknowledges Surrey's letters of "the 23, 24, and 25 daies of September," and can scarcely therefore have been itself written before the beginning of October. Surrey's "desire" may have been contained in his letters of the 23rd and 24th, neither of which, it appears from the Calendar, is now preserved.

³ Surrey and Council to Wolsey, 6th Oct., 1520.

Two questions arise from the letters I have quoted above. First, who was "Therll of Ormonds son"? Second, who was "S^r Thomas Boleyns daughter"?

Let us then first ask the question, "Who was 'Therll of Ormond's son'?" It is Lingard who gives the right answer: "the son of Sir Piers Butler." Mr. Brewer, according to Mr. Friedmann, is here again in error:

"Mr. Brewer at first thought that the negotiations referred to Mary Boleyn, but this error he corrected. He continued, however, to be mistaken about the person whom Anne was to marry. The husband proposed for her was not, as Mr. Brewer thought, Sir Piers Butler,¹ but the son of Sir Piers, Sir James."—(Vol. ii., p. 321.)

But here Mr. Friedmann, I think, is somewhat too hard on Mr. Brewer. He had only to glance at the opposite page to that which contains Mr. Brewer's correction of his "error" in the name of the "daughter," and there he would have seen "Sir Piers Butler, then Earl of Ormond," correctly distinguished from "his son."²

It is true that Mr. Brewer, in a later calendar, transforms "Sir Piers Butler"³ into his own son, and that this passage alone is to be found in the two volumes of the *Reign* (ii. 173), which work (see p. iii) professedly contains the prefaces to all four calendars. But the latter circumstance, which greatly puzzled me, is explained, as I at length discovered, by the fact that the Editor (Mr. J. Gairdner) has suppressed certain pages (vol. iii., pp. ccccxix-ccccxxv) in which the earlier passage occurs, so that in the *Reign* they are not to be found. For this he had, doubtless, excellent reasons; but it is somewhat to be regretted that we are left to discover the fact for ourselves, and certainly unfortunate that Mr. Brewer's reputation should have suffered by the suppression of his right, and the retention of his wrong, explanation, which latter, we may note, is also that adopted by Mr. Gairdner himself.⁴

¹ *Letters and Papers*, vol. iv., p. ccxxxviii.

² *Letters and Papers*, vol. iii., p. cccxxxii.

³ *Letters and Papers*, vol. iv., p. ccxxxviii.

⁴ "The intended match was with Sir Piers Butler, son of the Earl of Ormond."—*Dictionary of National Biography*, i. 425.

Messrs. Brewer and Gairdner, in their novel error, commit, in short, the extraordinary mistake of making the son identical with the father. We have seen that, in the case of the St. Legers, Mr. Brewer made a similar slip. But here it is more than a slip; it is a serious and deliberate error. "Sir Piers Butler, pretending himself to be Erll of Ormonde,"¹ was one of the best known characters of a period, of which, as Mr. Gairdner aptly reminds us, Mr. Brewer's knowledge was "unsurpassed."²

So also was his son, Sir James, the destined husband of Ann Boleyn. It is then, at first sight, hard to understand how it was possible to confuse them. I shall, however, in due course, trace this confusion to its source. - For the present we may note that, from 1515 to 1528, "Sir Piers Butler," and the "Earl of Ormond" were one and the same person. When, therefore, Mr. Gairdner speaks of "Sir Piers Butler, son of the Earl of Ormond," in 1520 (or 1521), the strange mistake is self-evident, even if we did not know that his narrative refers to Sir James. We have a case exactly parallel in that principle adopted by the Long Parliament, with which every historian should be, surely, familiar, in accordance with which (after a certain date) "Lord Goring" and "the Earl of Norwich" were one and the same person. When Mr. Bell, therefore, the Editor of *The Fairfax Correspondence*, gravely describes a simultaneous stand by "Goring at Bow and the Earl of Norwich at Chelmsford," we are curiously reminded of Sir Boyle Roche. But if Mr. Bell thus transforms one Goring into two, Mr. Freeman has, at least, made amends by rolling two Gorings into one. With him it is the father and the son that are one and the same person.³

It was, I suspect, Mr. Brewer's identification of Sir Piers Butler with "Therll of Ormonds son" which led him to write of

¹ Henry to Surrey, *State Papers*, Oct., 1521.

² Preface to *Reign*, p. iii.

³ "Taunton in the West was as eager to keep Goring outside its walls, as Colchester in the East was eager to get rid of him when he had got inside."—*English Towns and Districts*, p. 117.

Anne's affair with the latter as "her pre-contract with *Ossory*,"¹ a title which was, indeed, in later days conferred on Sir Piers Butler, but by which his "son" was never known. Here again, my point is the same. How can we wonder, when experts are liable to be thus misled, that Mr. Froude, for instance, should speak of "the Earls of Ormonde and Ossory"² in 1515 before any title of Ossory was in existence, and should afterwards speak always of "the Earl of Ormond"³ at a time when that chieftain was Earl of Ossory, and not Earl of Ormond at all.

And now for the source of the confusion. Mr. Friedmann is wrong in saying that Mr. Brewer "*continued* to be mistaken" about Sir Piers Butler. Mr. Brewer, as I have shown, had been right at first, and it was a document which he came to later in his work that led him so curiously astray.

This document I have held more than once in my hands. I can therefore say with absolute certainty that Mr. Brewer, if this calendar be really by him, has misunderstood its character, has assigned it to a wrong date, and has drawn from an expression it contains an entirely wrong conclusion.⁴

It is thus entered in Mr. Brewer's calendar, at the close of the documents relating to 1521 :

"1521. SIR PIERCE BUTLER

Petition for a repeal of the Act of the Parliament holden at Drogheda . . . The petitioner urges his faithful service to the King."⁵

¹ *Reign*, ii. 238.

² *History of England* (Ed. 1856), ii. 249.

³ *Ibid.*, ii. 284, 288, etc.

⁴ We have, however, it is right to state, the testimony of his learned editor (Mr. Gairdner) that Mr. Brewer's strength specially lay in his treatment of such records. "In matters such as these," we read, "Mr. Brewer was more expert than those with whom it might be supposed to be a business. He . . . ascertained their dates, their authorship and their significance by the light of internal evidence; perused and reperused, and compared with others, hosts of difficult and obscure documents, until they had yielded up their secrets; and finally gathered up the results of his researches in clear, systematic order, illuminating the whole subject for the general reader as well as for the student by the clearest and most lucid exposition."—Introduction to *Reign of Henry VIII.*

⁵ Vol. iii., part 2, p. 825 (No. 1926).

We have, however, but to glance at its contents to see that it is not a petition at all, but that its form is that of an Act of Parliament:

"At the supplicacon of Sir Piers Butler . . . that whereas in a plemente holden at Drogheda, etc., etc. . . . *be it enacted, ordeyned, and established by the Auctoritie of the present Parliament,*" etc., etc.

It is in fact a document of no ordinary interest, being nothing else, as I shall prove, than the original draft Act sent over by Surrey from Ireland, in accordance with the provisions of Poynings' Act, to be approved of by the King and then returned, to be submitted to the Irish Parliament. Surrey thus refers to it in that important letter to Wolsey which was wrongly assigned, in the earlier calendars, to 3rd October, 1520, but which is now rightly dated 3rd October, 1521:

"I humbly beseche yo^r grace that the acte of parliment which I sent to yo^r grace long sethens councernyng the said Erll [*i.e.* Sir Piers Butler] may be sent herther with all deligence soo as it might passe at this next Sytting of the parliment which shall begynne the xviith day of October."¹

Nor need we even remain in doubt as to the date he refers to as "long sethens." He wrote thus on the 3rd October, 1521, and it was on the 17th December, 1520, that he had written to Wolsey to tell him that he was sending him Patrick Fynglas

"with certain articles devised by me, and the Kinges Counsayll here, to passe in the next Parliament to bee holdyn in this land."²

Thus the date of this document is fixed beyond question.

We have here, I think, a most interesting illustration of the actual-practice under Poynings' Act. Mr. H. C. Hamilton, who had approached more nearly than Mr. Brewer to a right perception of this document, goes into precisely the opposite extreme, and

¹ The former editors of the *State Papers*, having dated this letter wrongly, imagined that this Parliament was to meet on the 18th Oct., 1520 (instead of 1521), and pointed out, in a note, that "The Irish Statute Book does not notice any Parliament between 7 Henry VIII. and the 4th June, 13 Henry VIII.," *i.e.*, 1522.

² *Letters and Papers*, iii. 1099 (p. 403). This special use of the term "articles" should be compared with the Scottish "Lords of Articles."

enters it thus in his calendar, at the close of the documents relating to 1521 :

“Act of Parliament declaring Sir Piers Butler the true and lawful heir,” etc., etc.

“[It is probable that this Act was passed in 1521 in pursuance of the Earl of Surrey’s request of Oct. 3rd, 1520.]”¹

It was, however, as I have said, not an Act, but the draft of one, and, as a matter of fact, was not “passed in 1521.” Its object, I may explain (without going into details), was to free Sir Piers from the fear of a rival claimant to the chieftainship. Surrey’s eloquent appeal was in vain, and the jealous policy of the English Court refused to abandon the advantage it derived from the existence of such claim. It was not till some sixteen years later, when the services of Piers made it impossible to refuse him, that this Act was at length passed.² The fact that the draft was never returned in 1521 is the explanation of its remaining among our public records, where, as I have shown, it is still preserved.

Now in this draft Sir Piers is styled (with the technical precision of a Tudor lawyer), “Sir Piers Butler, Knyght, son and heir unto James Fitz Edmond Fitz Richard Butler, otherwise called Erle of Ormonde.”

Here then we trace to its source Messrs. Gairdner and Brewer’s error. James Butler, the father of Sir Piers, had died as far back as 1486. Owing to the absence from Ireland of his kinsmen the Earls of Ormond, they were in the habit of appointing a deputy in their place. This post James Butler had held from 12th October, 1477, and it was while (and in virtue of) holding such post that he was “otherwise called Erle of Ormonde.” Thus we see that in assuming “Therll of Ormonds son,” in 1520, to have been Sir Piers Butler, these writers (misled by the above *alias*) must have been thinking of his father, Sir James, as being then “Therll” himself, though he had died some thirty-five years before, and had never held the Earldom.

¹ *Calendar of Irish State Papers*, i. 4. “The Earl of Surrey’s request,” of course, is here antedated by a year.—*Vide supra*.

² 28 Henry VIII. cap. 3.

And yet, that it was not Sir Piers who was meant, but his son Sir James, was a fact which any "Peerage" would have rendered clear at a glance.

But when Mr. Friedmann corrects Mr. Brewer by pointing out that such was the case, his own fate is a useful warning that

"Dextrum Scylla latus, lævum implacata Charybdis
Obsidet."

For he actually speaks of

"the conflicting claims of the late earl's English descendants and of *his illegitimate son* Sir Piers."—Vol. i., p. 42.

By so doing he bastardizes at a stroke every Earl of Ormond from that day to this; though here again, even a glance at a "Peerage" would have shown that Sir Piers was the Earl's *kinsman* and legitimate heir-male.

We now come to the second question suggested by the letters of 1520, viz. Who was "Sr Thomas Boleyn's daughter"?

It is thus answered by the Editors of 1834:

"Sir Thomas Boleyn had two daughters, Mary and Anne. The former must be the one alluded to in the text; for though historians differ as to the time at which Anne Boleyn (who certainly went over to France in 1514, with the Princess Mary, when she became Queen of Louis XII., and after that Queen's departure from France, remained in the service of Claude the Queen of Francis I.) left the French Court, and returned to England; they all agree that she continued in Queen Claude's household in the year 1521, and that she was then only fourteen years of age. Wolsey's endeavour to bring about a marriage between Mary Boleyn (who was the elder sister) and Lord Ormond's son appears to have been ineffectual; for she married Sir William Carey, and by him became the mother of Sir Henry Carey, who was created Lord Hunsdon by Queen Elizabeth, his first cousin."¹

This note, however, is appended not to the letters of 1520, but to that of November, 1521, from Wolsey to the King. It is important that this should be borne in mind.

¹ *State Papers*, published under the authority of Her Majesty's Commission (1834), i. 92, *note*. (See also Table of Contents [vol. ii.], where she is accordingly twice spoken of as "Mary Boleyn.")

Mr. H. C. Hamilton, in his *Calendar of Irish State Papers*, published in much later days (1860) not only follows these earlier editors in their erroneous dating of the letter of 3rd October, 1521 (by which the letter from Wolsey to the King is deprived of its right explanation), but actually calendars the letter of 6th October, 1520, as a "Proposal of marriage between Lord Butler and Mary (*sic*) Boleyn" (vol. i., p. 4), though Mary's name is not to be found in it, and though his predecessors' conjecture that Mary was meant has not secured credit. Truly, we may exclaim, with Thucydides himself—

Οὕτως ἀπαλαίπωρος τοῖς πολλοῖς ἡ ζήτησις τῆς ἀληθείας, καὶ ἐπὶ τὰ ἔτοιμα μᾶλλον τρέπονται.¹

At least so far back as 1837 Lingard had written thus:

"The editors of the *State Papers* suppose that the daughter in question was Mary Boleyn, because Anne was in France at the time of Wolsey's letter, November, 1521. But they were not aware that Mary was married nine months before, and that of course the proposal could apply to no one but Anne."²

This is perfectly true so far as concerns 1521, but it should be observed that both the note and the criticism upon it refer merely to that year. Mr. Friedmann, we shall find, is similarly concerned too exclusively with that year, and thus overlooks the negotiations of 1520. He writes, as we have seen:

"Mr. Brewer at first thought that the negotiations referred to Mary Boleyn, but this error he corrected."—Vol. ii., p. 321.

This correction will be sought for in vain in the *Reign of Henry VIII.*, but will be found in the suppressed pages of the *Calendar*.³ Mr. Brewer there hastens to correct his "error," which consisted after all in nothing worse than the insertion *in the Index* of Mary's name as the subject of the Ormond negotiations. It leads him, however, to denounce "the habit of confounding one sister with the other," as a "blunder" on the part

¹ *Bellum Pelop.*, i. 20.

² Ed. 1837, vol. vi., p. 112, *note*.

³ III., p. cccxxxiii: "I take this opportunity to correct the error."

of those predecessors by whom he had been misled.¹ But now comes the curious question: *Is* it a "blunder" or even an "error" to hold that, in 1520, Mary was indeed the daughter referred to? Mr. Brewer deemed it so because he held that Mary had been already married in February of that year. "The date [of her marriage] is of importance," as Lingard truly observes.² It is given by him as "31st January, 1520-21"³ (*i.e.*, 1521), and this date is also given by Miss Strickland and Mr. Froude. Mr. Brewer, however, assigned the event to February, "1520." For this he is taken to task by Mr. Friedmann, who tells us that Mary Boleyn was married "in February, 1521 (not, as Mr. Brewer says, in 1520)."⁴ But what Mr. Friedmann failed to see was that in thus correcting Mr. Brewer he has deprived him of the very argument by which he convicted himself of error. For if Mary was not married till February, 1521, it follows, in despite of Messrs. Lingard, Brewer, Friedmann, etc., that her marriage obviously affords no evidence whatever against her being indeed the "daughter" referred to in the summer and autumn of 1520; it being perfectly legitimate to contend that when the negotiations again appear, in November, 1521, Anne had been substituted for her sister. But I hasten to add that Mr. Brewer's date is based on apparently unimpeachable evidence, *viz.*, "The King's Book of Payments" for the eleventh year of Henry VIII., in which the marriage of "Mr. Care and Mary Bullayn" figures on the 4th February (*ipso teste*).⁵ So one would be glad to know on what ground Mr. Friedmann so confidently corrects him. From the evidence before us we are bound to accept Mr. Brewer's date for Mary's marriage, and consequently the correction of his previous slip, which correction is based on that date.

¹ "A blunder from which even the late Editors of the State Papers of Henry VIII. have not entirely escaped."—*Reign*, ii. 107.

² *History of England* (1837), vi. 110.

³ On the authority of Sir F. Madden's *Privy Purse Expenses of Queen Mary*, App. 282.

⁴ *Anne Boleyn*, ii. 324.

⁵ *Letters and Papers*, vol. iii. (2), p. 1539.

Having now disposed of our two questions, let us trace the negotiations in their course and fate.

Mr. Gairdner writes: "The intended match . . . is frequently mentioned in the State Papers of 1520 and 1521."¹ It is, however, only twice mentioned in those of 1520 (September, October), and only once in those of 1521 (November).

Mr. Friedmann's version is as follows:

"Cardinal Wolsey was favourable to the plan, and Sir Thomas Boleyn and his English relations were ready to accept the compromise; but the pretensions of the Irish chieftain were exorbitant. A year passed, during which Surrey and he haggled about the terms, and at the end of 1522 the matter was given up."—Vol. i., p. 42.

So striking is the research displayed in Mr. Friedmann's brilliant monograph, that one knows not what to say to such precise statements as these. For by his mention of "Cardinal Wolsey" and "the end of 1522," the writer shows that his "year" of negotiation dates from November, 1521, and that he has altogether overlooked the letters of 1520. Nor have I succeeded in finding one jot or tittle of evidence that Sir Thomas approved of the project, that his relations "were ready to accept" it, that Sir Piers Butler's pretensions were "exorbitant," or that "Surrey and he haggled" over it at all, still less during a year when Surrey was not in Ireland at all.²

The fact is that Wolsey, at first, does not appear upon the scene. We do not know of any reply to the appeal made to him in the letter of 6th October, 1520. As to the English co-heirs, the St. Legers would naturally object to a scheme which entirely ignored their own claims; and Sir Thomas Boleyn, whose selfish avarice is matter of common knowledge,³ was scarcely likely to favour a scheme entirely destructive of his own claims and hopes of personal advantage. He held out, in my opinion, resolved to play for the whole stake, and he was

¹ *Dictionary of National Biography*, i. 425.

² He returned to England at the close of 1521, being succeeded, as Deputy, by Sir Piers himself.

³ "In one thing all accounts of him agree. His besetting vice was avarice: he could not resist the temptation of money."—*Reign of Henry VIII.*, ii. 168.

justified, if so, in his decision, for in due time he won it. I think we have here the true reason why the negotiations came to naught.

It was in the autumn of 1521 that Surrey, who, as I have shown, had been twice foiled in his efforts on behalf of Sir Piers Butler, made an earnest appeal as to a third grievance affecting the loyal chieftain. His letter deserves quoting. Sir Piers, he writes :

"showeth hym self toward to doo the Kings grace service suche as no man in this Land doeth and to me right great ayde assistance. In consideration whereof "

he asks that the Act in his favour may be allowed to pass;¹ and then adds that as their good ally "is soo sore vexed and greved with the gowte in his fote that he may not Ryde ne travail," he begs that his son, then in England, may be allowed to return to Ireland, and urges the King

"tenderly to consider the great [ay]de and loving assistance I haue of the said Erll both in the felde and in his discrete counsaill with his famylier counversacion which is to me great eas and comfort."²

It would seem that when Surrey wrote to Wolsey, Sir Piers himself wrote to Henry. This request was, in due course, sent on by Henry to Wolsey, then in France, for his opinion. Compliance with the request was distasteful to Wolsey. That the heir of the Butlers should remain in England, as a virtual hostage for his father, was so good a card to hold in his hand that he was naturally loth to part with it. And if Sir Piers was about to be entrusted with the actual government of Ireland, it would be wise, he urged, to retain his son at least till his conduct in that important post had earned the King's approval. It occurred, therefore, to his subtle mind that the Boleyn match might be dexterously revived as a

¹ See above.

² Surrey to Wolsey, 3rd October, 1521. This is the letter that in the earlier calendars was wrongly assigned to 3rd October, 1520. As the Clonmel letter of 6th October, 1520, states that the senders had been there since the 2nd October, it is obvious that they could not have been at Dublin on the 3rd.

"cause" for postponing the heir's departure. The letter deserves careful study, and reads, I think, as if Wolsey, rather than Henry himself, was responsible for the grudging treatment which the Butlers had received :

"Finally Sir I have considred the request and desire made unto Your Grace by Sir Piers Butler conteigned in his letters, which I think veray reasonable ; and surely, Sir, the towardnes of his sonne considred, who is right active, discrete and wise, I suppose he, being with his fader in that lande, shulde do unto your Grace right acceptable service. Howe be it, Sir, goode shall it be to prove how the said Sir Piers Butler shall acquite hym self in thauctoritie by your Grace lately to hym committed, not doubting but his said sonne being within your reame, he woll doe ferre the better ; trusting therby the rather to gett hym home. And I shall, at my retourne to your presence, divise with your Grace, how the mariage betwixt hym and Sir Thomas Bolain is daughter may be brought to passe, whiche shalbe a reasonable cause to tracte the tyme for sending his said sonne over unto hym ; for the perfecting of which mariage I shall indeavour my selff, at my said retourne, with all effecte."¹

Anne Boleyn returned to England about the close of the year, whether because, as Mr. Friedmann holds (i. 4), "the political aspect became rather threatening," or more probably, as Mr. Brewer suggests, in connection with the proposed match.² In any case, as Mr. Brewer rightly observes, there is "no mention" of this match again, after the above letter, a fact which should be compared with Mr. Friedmann's statements,³ and which has, obviously, an important bearing on the coming Percy episode.

Another question bearing on that episode is that of the relations between the King and Anne's sister, Mary. Lingard's powerful and striking arguments in support of his thesis that she was Henry's mistress, were assailed, as we know, by Mr. Froude.

¹ Calendared as from Wolsey to Henry, "November," 1521.—*Letters and Papers*, vol. iii., part 2., p. 744, No. 1762.

² "At the end of the year Anne had left France, and returned to England ; partly, no doubt, in consequence of this project, of which no mention occurs again."—*Reign*, ii. 174.

³ See above.

But Mr. Friedmann, in an able note, has disposed of Mr. Froude's objections, and, as he says :

"The question whether Mary Boleyn was the mistress of Henry VIII. is now generally answered in the affirmative."—Vol. ii., p. 123.

But the date of this intrigue, on which much depends, would appear to be still a matter of doubt. Lingard places it before her marriage (assigned by him to January, 1521), and asserts that Henry "provided a husband for" her in "William Carey of the privy chamber."¹ Mr. Froude argues that

"the *liaison*, if real, must have taken place previous to 1521. In the January (*sic*) of that year Mary Boleyn married Sir Henry (*sic*) Carey, and no one pretends that it occurred after she became Carey's wife."²

But Mr. Friedmann retorts by adducing a confession, of which he observes :

"Not only, then, was it said that Anne's sister was Henry's mistress after her marriage, but it was stated that Henry Carey was the King's son. I hasten to say that I know of no other evidence in support of the latter assertion."—Vol. ii., p. 324.

He himself places the incident "soon" after her marriage ;

"As she resided constantly at Court, and seems to have been rather handsome, she attracted the attention of the King, and soon became his mistress."—Vol. i., p. 43.

But here a point has been overlooked, and a factor in the problem omitted. According to an inquisition taken at Mary's death (19th July, 1543), Henry Carey, her son and heir, must have been born on or about 1st April, 1526—a date which his epitaph roughly confirms. Mr. Friedmann's "confession," if it

¹ Ed. 1837, vi. 110. Such also would seem to be the view of Mr. Gairdner, for he writes that Henry "dishonoured Anne's sister Mary, whom he married to Sir William Carey."

² *History of England*, vol. ii., App., p. 653. She was married in February, 1520, not in January, 1521 ; and her husband was not "Sir Henry" Carey [her son], but plain "William Carey, Esquire," as we saw in the epitaph and Harleian pedigree, quoted by me above, and as is rightly given by Dugdale, Burke, Lingard, Miss Strickland, Mr. Friedmann, etc., etc. Messrs. Brewer and Gairdner wrongly term him "Sir William Carey," confusing him with that, a different, individual.

proves anything, proves that the connection was assigned by the Court to a date which this birth enables us to conjecture. Now if we combine this with the significant facts of Sir Thomas Boleyn being raised to the Peerage (with special distinction) 18th June, 1525, of 1525 being the year that marks a change in Henry for the worse,¹ and of the King's admission² as to his relations with his wife, to which I need not more particularly allude, it will, I think, be admitted that the incident in question may not improbably be placed as late as 1525. At least, I would urge, there is nothing to prove that it belongs to an earlier, or to any, date. This point obviously affects not merely the Percy episode, but the whole question of the origin and rise of Henry's passion for Anne, and, by consequence, of the divorce itself.

This brings us to Percy and his suit. Here it is necessary to observe at the outset that while Lingard, followed by Miss Strickland, assigns this incident on the authority of Herbert³ to 1523, and Mr. Brewer "to the year 1522, shortly after her arrival in England,"⁴ Mr. Friedmann, on the contrary, places it "about the beginning of 1527 or about the end of 1526."⁵ Lastly Mr. Gairdner, presumably on the same grounds as Mr. Brewer, pronounces that "the occurrence can be proved by the most conclusive evidence to have taken place as early as 1522."⁶ Now if Wolsey's veto on the match with Percy were really due, as Cavendish implies,⁷ to the fact that "the King was in love with Anne," an hypothesis which Mr. Friedmann (i. 44) is inclined to accept, it is obvious that this date is of vital importance.

Mr. Friedmann's wide divergence on this point from the

¹ *Reign*, ii. 158-9.

² To Symon Grynæus.

³ But *vide infra*.

⁴ *Reign*, ii. 177.

⁵ Vol. ii., p. 322. So at least I understand this passage when taken in conjunction with i. 44-5. Mr. Friedmann must have overlooked what Miss Benger acutely notes (*Memoirs of Anne Boleyn*, 1821, i. 224), viz., that Percy's reference to Anne's father as "a simple knight," places the incident before his elevation to the Peerage in June, 1525.

⁶ *Dictionary of National Biography*, i. 425.

⁷ "The King began to kindle the brand of amours," etc., etc.

other writers I have named arises, I gather, from his having misunderstood, or at least understood differently, the passage in Cavendish's *Life of Wolsey*. He writes (vol. ii., p. 322):

"Cavendish's account of the flirtation between Anne Boleyn and Sir Henry Percy is rejected by Mr. Brewer, because in his opinion it cannot have taken place after Sir Henry was betrothed to Lady Mary Talbot (*Letters and Papers*, vol. iv., p. ccxlv, foot-note)."

But here, as elsewhere, it is impossible to follow Mr. Friedmann's criticisms of Mr. Brewer's arguments, unless we bear in mind that they are largely directed to those in the suppressed pages of the introduction to the third volume, which Mr. Brewer modified more or less in his subsequent introduction to the fourth. Thus in this matter of the Percy story, Mr. Brewer did indeed, in the earlier volume, reject it, on the ground that there is no date to which it can possibly be assigned, urging rightly (*pace* Mr. Friedmann) that we cannot place it *after* Percy's engagement to the Earl of Shrewsbury's daughter, and wrongly (as I shall myself show) that we cannot place it *before*.¹ But in the introduction to the next (the fourth) volume, Mr. Brewer, we should notice, modifies this view, and, though questioning "some of the details," no longer rejects the story *in toto*, and indeed assigns it an actual date—1522. His criticism of the story told by Cavendish no longer rests on a question of date, but is based on its alleged "pre-contract":

"Some of the details may be confused and inaccurate, especially where Cavendish relates that a pre-contract had passed between Anne and her suitor; for this was denied by Percy on his oath. . . . But the fact of a denial so formally made is a proof that some intimacy must once have existed between them to require so formal a denial."²

¹ *Letters and Papers*, iii., p. cccxxxiii. Though here Mr. Brewer goes rather too far, his scathing criticism of Cavendish is of importance as effectually discrediting the accuracy of his details.

² *Ibid.*, iv., p. ccxliii. It may be observed, however, that, under the circumstances, Percy's denial, solemn though it was (*see* his letter [13th May, 1536] in Appendices to Singer's *Cavendish* and Burnet's *Reformation*), must be taken *cum grano*, and that Anne, with equal formality, admitted the pre-contract. Cavendish is, at any rate, positive as to the fact.

It is not as a test of the truth of the story, but solely as a clue towards fixing its date, that Mr. Brewer, in this his later argument, refers to Percy's engagement to the daughter of the Earl of Shrewsbury.¹ Mr. Friedmann, however, continues thus, replying, we must remember, to Mr. Brewer's earlier, and ignoring his later argument :

"I cannot understand the argument, for Cavendish distinctly tells us that it did take place after the betrothal, and that Sir Henry asked Cardinal Wolsey to have the betrothal annulled. There is nothing impossible or very improbable in this account; and as Cavendish was certainly with Wolsey at the time, I see no reason to disbelieve his statement. It is confirmed by the fact that Chapuis and other contemporary writers repeatedly assert or imply that Anne was on very intimate terms with young Percy about the beginning of 1527, or about the end of 1526."—Vol. ii., p. 322.

It is clear from this that Mr. Friedmann has mistaken not only Mr. Brewer's ultimate argument, but also Cavendish's own statement. For here is the passage quoted by Mr. Brewer, which, although at first sight a little ambiguous, can only be capable of one interpretation :

"There grew such a secret love between them [Percy and Anne Boleyn] that at length they were insured together, intending to marry. The whole thing came to the King's knowledge, who was then much offended. *Wherefore, he could hide no longer his secret affection, but revealed his secret intendment unto my Lord Cardinal in that behalf and consulted with him to infringe the pre-contract between them.*"

Mr. Friedmann has taken "he could hide," etc., to refer to Percy, and "pre-contract between them" to mean between Percy and Mary Talbot. But neither grammar nor sense will admit of this rendering. "Them," grammatically, can only refer to Percy and Anne Boleyn, and "he," consequently, to the King.² Percy, as is well known, was soundly rated, according

¹ "It is probably still earlier, for Percy was already engaged to Lady Mary in September, 1523 (iii., pp. 1383, 1512), and the marriage was arranged to take place immediately."—*Reign*, ii. 177.

² This is further proved by the sequel: "Then after long debating and consultation upon the Lord Percy's assurance [*i.e.* engagement], it

to Cavendish, by Wolsey; was forbidden to marry Anne Boleyn, on the ground that the King

"intended to have preferred [Anne Boleyn] unto another person, with whom the King hath travelled already, and being almost at a point with the same person," etc.¹

and was, further, ordered to (and did) marry Mary Talbot. It is in allusion to this that Surrey writes (12th September, 1523):

"the mariage of my lorde Percy shal be wt. my lorde steward's doghter, wher of I am right glade, and so, I am sure, ye be. The cheff baron is with my lorde of Northumberland to conclude the mariage."²

It is stated, on the authority of Brooke and Milles, that the marriage in question was hurried on, and took place before the close of 1523. It is then clear that, contrary to Mr. Friedmann's contention, the affair between Percy and Anne Boleyn was prior to, and the cause of, his betrothal to Mary Talbot.³

This being so, we may fix the episode with some degree of certainty. Mr. Brewer, it is true, argues in his introduction to the third volume (p. cccxxxiii.):

"If it be thought that the pre-contract to which Cavendish alludes might have taken place in the interval between Anne Boleyn's return to England in 1522, and Percy's engagement with the Earl's daughter in 1523, even then Cavendish's statement is substantially incorrect. For it must be remembered that Percy was employed in 1523 (*sic*) as warden of the East and Middle Marches, and was apparently away in the North."

For this fact, Mr. Brewer adds, "see 2536 and 2645 (apparently)." But when we refer to these documents, we find them dated by

was devised that the same should be infringed and dissolved, and that the Lord Percy should marry with one of the Earl of Shrewsbury's daughters; (as he did after); by means whereof the former contract was clearly undone."—Singer's *Cavendish* [1827], pp. 128-9.

¹ *Ibid.*, p. 123.

² Surrey to Dacre, 12th Sept., 1523 (Add. MSS. 24, 965, fo. 78). Cf. Surrey to [Wolsey], of same date (*Letters and Papers*, iii. [2], p. 1383).

³ This must of course not be confused with Percy's earlier betrothal to Mary Talbot alluded to in a letter of 24th May, 1516 (Lodge's *Illustrations*, i. 20, 21), aptly quoted by Miss Strickland.

Mr. Brewer himself as relating, not to 1523, but to September—October, 1522. And even then it is but “apparently” that they imply Percy’s presence. In his later volume he repeats his argument, but modifies, it will be seen, the date :

“as he [Percy] was employed upon the borders in the latter end of 1522 and the beginning of 1523, we have no alternative left except to date back this flirtation with Anne Boleyn to the year 1522, shortly after her arrival in England.”¹

But why does he write thus positively, without adducing any fresh evidence, though that which he had given fails to support the dates in either of his statements, viz. “1523” or “the latter end of 1522 and the beginning of 1523”? I cannot find in the whole of this volume one single document implying the presence of Percy upon the borders from the autumn of 1522 to the autumn of 1523, at which latter date he was appointed Warden.²

It will be seen then that there is nothing in the least inconsistent with the spring and summer of 1523 being the true date, and to that date we may fairly adhere, until Mr. Gairdner has produced “the most conclusive evidence” to the contrary.³

The question, therefore, that we now ask is: Was the *veto* upon the match with Percy the outcome of a passion for Anne on the part of the King himself? It is quite possible that the “other” who was professedly destined for her was, as Messrs. Brewer and Gairdner urge, Sir James Butler; but that does not dispose of Cavendish’s statement as to the King’s “secret affection.” The only way of getting over it seems to be to assume that Cavendish was mistaken, as was not unnatural in

¹ *Reign*, ii. 177.

² *Letters and Papers*, iii., pp. 1076, 1120, 1383. This and the other instances that we have come across are the more strange when we remember that, as Mr. Gairdner truly observes, “the special value of this [Mr. Brewer’s] work” consists in its being “drawn from the latest sources of information carefully arranged and collected by the author himself.”—Introduction to *Reign of Henry VIII.*

³ Lord Herbert’s authority has indeed been quoted in favour of this date, but I cannot find on what ground, and his arguments seem actually inconsistent with it.

after years, in the motive for the intervention. And this is the explanation that Mr. Gairdner, following Mr. Brewer, adopts.¹

There is a further consideration, which would seem to have been overlooked by all who have discussed the problem. The last, it will be remembered, that we heard of the Butler-Boleyn marriage was in Wolsey's letter of November, 1521, in which it was suggested as "a reasonable cause" for the detention in England of Sir James Butler. It was not the policy of the English Court that he should really obtain his promised bride, and his father and he consequently remained no nearer than ever to the coveted prize that had so long been dangled before their eyes. At length this tortuous course availed the King no longer, and the patience of the Butlers was exhausted.² "The Deputy," wrote Kildare, his great rival, "hath made bondes with diverse of the Irishry and in especiall with OKerroll, and such as hath betheto moost greved your subgietes here, by whos assistance he intendith to defend his title to thErl dome of Ormond be it right or wrong."³ Such was the end of all this subtle statecraft: Sir Piers was being driven, in despair, into the arms of "the wild Irishrie." One can imagine the dismay of Henry and Wolsey on hearing of the Deputy's desperation. Even if they were still as loth as ever to part with their hold upon the Butlers, by letting the match take place, it was essential that Anne Boleyn should still be used as a decoy. Now it is precisely to this critical moment

¹ *Dictionary of National Biography*, i. 425. I may add that Cavendish is believed to have written some thirty years after the event, and that, assuming his inference to be wrong, the conversation, as reported by him, may itself be strictly authentic, for, indeed, its expressions are more consistent with our hypothesis than with his.

² Compare Commynes (lib. vi., cap. 13): "Nourrir les partialités entre les hommes, comme princes et gens de vertus et de courage, il n'est rien plus dangereux. C'est allumer un grand feu en sa maison; car tantost l'un ou l'autre dira: 'Le roy est contre nous,' et puis pensera de se fortifier, et de s'accointer de ses ennemys."

³ Kildare to Henry, 24th May, 1523. Compare his wife's letter of the following day, urging that Sir Piers "is so cruel towards him because Kildare refused to take part with him against the heirs of the late Earl of Ormond, who pretend title to the Earldom."

that I have ventured to assign, as was seen above, Anne's flirtation with Henry Percy. The announcement and recognition of their betrothal would have deprived the Butlers, at a blow, of the cherished object of their hopes, and would have driven them into instant revolt against the Court which had so cruelly deceived them. Surely we have here a striking solution of Wolsey's indignant intervention, and can well believe that the King was "much offended" at the news that this mine had been laid beneath his very feet, and was threatening, at any moment, to blow his schemes into the air.

If then we may dismiss the statement of Cavendish, on the ground that Henry can have had no thought of actually marrying Anne himself so early as the summer of 1523, we are left as much in doubt as ever as to when the King began to press his suit on Anne. Lingard held that it "must have begun at the latest in the summer of 1526, probably much earlier;" Mr. Friedmann believes it "pretty certain that in 1526 there was already a flirtation between him and Anne"; Mr. Gairdner, on the contrary, boldly writes of the offices and favours bestowed on her father from 1522 to 1525:

"That this steady flow of honours marks the beginning of the King's attachment to his second daughter [*i.e.* Anne] there can be little doubt."¹

Thus the period assigned for the beginning of this "attachment" varies from the spring of 1522 to "the summer of 1526." I have already observed that Mary Carey is an important factor in this problem, and that there is at present nothing to disprove the hypothesis that the King's connection with her was later than has been hitherto supposed. If so, we may assign to her, rather than to Anne, her father's advancement for some time.² And is it not possible that, in his selfish greed, he may, when his elder daughter had lost her attraction for the King, have sought to maintain his power by the means of the charms of the other?

¹ *Dictionary of National Biography*, i. 426.

² Compare Friedmann (i. 43): "Mary Carey did not contrive to make her position profitable either to herself or to her husband; it was her father, Sir Thomas Boleyn, who reaped the golden harvest."

There is only one more incident to which I propose to call attention. This is that of the important agreement by which the struggle for the Ormond estates was, after more than twelve years, at length brought to a close. No allusion is made to this document either by Mr. Friedmann or, so far as I know, by anyone else who has discussed this question.

It is a striking fact that, according to Mr. Friedmann, Wolsey, who had hitherto opposed the Boleyns, decided, in the winter of 1527-8, to become their ally. For it exactly harmonizes with this document, to the importance of which, I believe, I was the first to call attention. This agreement is preserved among the Public Records,¹ while the draft of it is to be found at the Bodleian.² Its date is 17th February, 1527-8, and it is specially stated to have been the work of Wolsey. It was arranged by it, briefly, that "Sir Pyers Butler, Kt., cosyn and heir-male to the said Thomas late erle of Ormond," should renounce all claim both to the title and to the estates, and that the latter should pass in strict coparcenery to the St. Legers and the Boleyns. Thus Sir Thomas gained his end, as regards his actual claims; and in the following year, rising with his daughter, he attained, nay passed, the goal of his ambition, receiving not one but both the titles possessed by his maternal ancestors. On the 8th December, 1529, he became Earl of Wilts and of Ormond.

Here I may fitly close my notes on "the early life of Anne Boleyn." I would hope that, on the one hand, they may somewhat have contributed to a clearer knowledge of these vexed points, and that, on the other, they may serve as a useful warning to those who are inclined too implicitly to rely on the work of specialists and of experts. I think they may at least be profitably read by the side of Mr. Gairdner's eloquent preface to the *Reign of Henry VIII.* Great as Mr. Brewer's services may have been to the cause of historical research, he would, I am sure, have been the first to regret that any but the absolutely correct estimate should be formed of his authority as a scholar, or to deny that "in all these

¹ See *Letters and Papers*, iv., 3937.

² Ashmolean MSS., 1547.

inquiries our one object is truth—truth to be sought after at all hazards, at whatever sacrifice of preconceived opinions.”¹ In my critical study on “the Book of Howth,”² edited by Mr. Brewer for the Rolls Series, I proved, as may be seen, that he was “strangely at fault” in his views on its authorship, its origin, and its contents. In the present paper I have ventured to touch on his labours among our national records. I sincerely trust that, in so doing, I have not exceeded the limits of legitimate and useful criticism. At least I can honestly say, in Mr. Friedmann’s modest words :

“My object has been to show that very little is known of the events of those times, and that the history of Henry’s first divorce, and of the rise and fall of Anne Boleyn, has yet to be written. If I have contributed to dispel a few errors, or have in any way helped towards the desired end, I shall be satisfied. The task I set myself will have been fulfilled.”

¹ Freeman’s *Historical Essays* (2nd Ed.), 1st Ser., p. 38.

² *Antiquary*, vols. vii.-viii. (1883).

