William Frederick White.

Wm Frederick White

Inner Temple. 1835.

THE

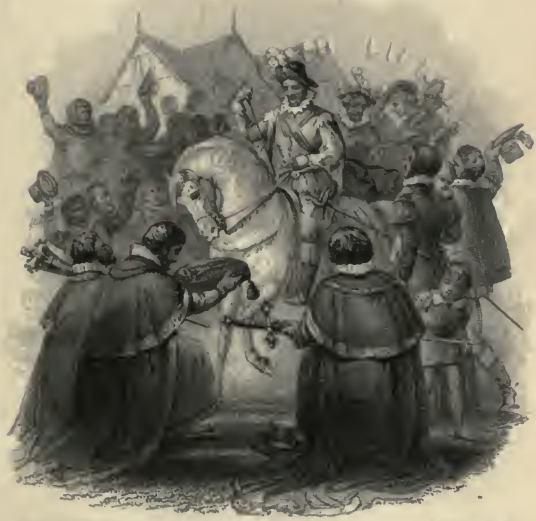
HISTORY OF ENGLAND.

CONTINUED FROM

The Right Honorable,

SIR JAMES MACKINTOSH, LL.D: M.P.

VOLUME THE FOURTH.



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1588. THE martial spirit and military resources of Elizabeth were not called into action at the great crisis of 1588. It was, probably, most fortunate.* The queen's levies, with their courage, patriotism, religious hatred, and superior numbers, but without experience or discipline, and commanded by an incapable generalissimo, the earl of Leicester, would encounter at disadvantage the veteran troops of Spain, reputed still, as in the time of Charles V., the best infantry of Europe, and led by Alexander Farnese, the first captain of his time.

It was ordained for the naval genius of England to achieve alone the safety and the glory of the nation.

The English navy had every advantage but that of numerical force. Fortune at the outset gave an omen of her favour. The Spanish admiral, Santa Cruz, who had charge of the armada, died as the expedition was about to sail. His death deprived the Spaniards of a man of capacity and experience, and retarded the sailing of their fleet. This iron warrior, as he is called by Strada, died broken-hearted of a court frown from Philip II.† The proud tyrant, looking upon the conquest of England as at once easy and magnificent‡, or deferring to the pride of the Spanish nobles on board§, supplied the place of Santa Cruz with the duke of Medina-Sidonia, whose chief recommendation was his rank of first grandee of Spain.||

The armada sailed from the mouth of the Tagus on the 29th of May.¶ It consisted of 135 large ships of war**, with more than the ordinary proportion of small craft and transports, carrying 19,000 soldiers, 8000 sailors, 700 noble and other volunteers, 2500 domes-

* See Hard. State Papers, i. 515.
† Strad. dec. ii. lib. ix.
‡ Grot. Hist. lib. i.
§ Monson's Naval Tracts.
|| Strad. Grot. Hist. ubi suprà.
¶ Camd. Thuan.; but Rapin says on the 3d of June.
** Drake's letter, in Hard. State Papers, i. 575. or 576.

ties and galley slaves*, 600 monks to preserve religious discipline, and attend the sick and wounded†, with Martinez Alarco, vicar-general of the inquisition, at their head.‡ This vast mass having, after three weeks' sail§, arrived within a few leagues of the Scilly Islands, was overtaken by a storm, and compelled to return to Corunna and other ports of Gallicia. Elizabeth, governed by a politic and instinctive parsimony, which was flattered as a tender regard for her people, and misled, moreover, by exaggerated reports of disaster industriously spread by the Spaniards||, despatched to lord Howard of Effingham, orders to send home four of his largest ships, as the armada was disposed of for that year. The high admiral had the virtue to disobey a despotic princess, jealous of her power. Such resolutions in emergency decide the fate of wars and empires.

He occupied the Channel with his fleet divided into three squadrons, respectively commanded by Drake, Hawkins, and himself; and upon the first fair wind, sailed for Spain to attack and take advantage of the damaged state of the armada. The wind, however, changing to the south, he steered back to his station in the Channel, and reached Plymouth on the 18th of July.

The armada, meanwhile, again put to sea, and was descried, on the 19th, off the Lizard Point. The high admiral was not a little surprised by the news communicated to him by one Fleming, described by some as a captain of a pinnace¶, by others as a Scottish freebooter, who was roving in those seas.** The skill, zeal, and resolution of British seamen enabled him to get out of Plymouth harbour in the teeth of a stiff wind by the next morning.

Had the Spanish admiral directly and promptly

* The force of the armada is here stated in round numbers, averaged from Camden, Strada, Thuanus, and other authorities.

† Strad. dec. ii. lib. ix.

‡ Thuan. Hist. lib. lxxxix.

§ Hard. State Papers, i. 581.

|| Grot. Hist. lib. i.

¶ Discourse concerning the Spanish Invasion, Har. Misc. vol. i.

** Monson's Memoirs, Disc. &c. Har. Misc.

attacked him, the result would probably have been fatal. The orders of Philip, and the evil genius of the armada, prevailed.

The duke of Medina, on approaching England, called a council of war, and opened his instructions.* Philip's orders were, that he should sail so far into the Channel as to allow his being joined by the duke of Parma from the Netherlands; then make for the Thames' mouth, and land the duke of Parma, with the military part of the expedition, to surprise the capital and overrun the kingdom. The Spanish officers clamoured for immediate action.† The express orders of the king were urged by the admiral. Recalde, vice-admiral of the fleet, an experienced seaman, maintained that the king's service would be betrayed by obeying his orders to the letter. The duke of Medina remained unmoved; but satisfied the prevailing impatience for combat, by announcing that he would engage the English after a few hours' sail, upon reaching the Isle of Wight, whence he should be enabled to communicate and concert with the duke of Parma.‡ The armada accordingly bore away into the Channel.§ The high admiral, having despatched his brother-in-law, sir Richard Hoby, to court with the news, and with a demand for reinforcements, gave chase. On the 20th, he observed and gained upon the Spanish fleet disposed in a vast crescent; its left towards the English, its right towards the French shores.|| Camden, Strada, and after them other writers of severer taste, have employed the language of figurative exaggeration in describing the stupendous bulk, structure, and equipment of the Spanish ships¶: scarcely equal to modern fourth-rates**, they were really prodigious for that age. But their bulk,

* Strad. dec. ii. lib. ix. † Id. ibid.

‡ Id. ibid.

§ Hume says the armada bore down upon the English fleet in Plymouth. This is negatived by all the circumstances, and by the express authority of Strada, who wrote from the Spanish state papers. How could the English in that case have begun the action with the rear of the armada?

|| Strad. dec. ii. lib. ix. ¶ Id. ibid.

** Hume, vol. v. 8vo edit.

enormously disproportioned to the actual state of seamanship and naval mechanics, only diminished their efficiency. Those "floating castles" * answered neither the helm nor the sails; and the guns, with which they were armed at all points, "like quills upon the fretful porcupine," † could not be steadily pointed. The Spanish admiral had disposed his fleet for battle, upon learning from some fishermen that the English fleet lay at Plymouth, and would, of course, give him chase. Lord Howard, with the gallantry of that age, sent forward a pinnace to challenge the Spanish admiral by firing one of her guns. The Spaniard accepted the defiance. The high admiral, in his ship, the Ark Royal, singled out what he supposed, from her size and ensigns, to be the Spanish admiral's flag-ship; it proved to be that of Alphonso de Leva. They engaged gallantly. Other ships on either side came up, and shared the combat. Meanwhile Drake, Hawkins, and Frobisher kept up a brisk fire upon the ships commanded by the Spanish vice-admiral, Recalde. The high admiral had attacked with only a part of his fleet; forty ships, which had not cleared the harbour in time, were left behind: he therefore confined himself to firing his guns, without coming to close action, and ceased after the lapse of two hours. The material loss on either side was trifling; but the moral advantage gained by the English was equivalent to a successful battle. They learned to behold without fear, if not with disdain, those huge vessels, which lay like logs upon the water, and fired over their heads; whilst their own lighter vessels, and better seamanship, enabled them to batter the unwieldy ships of the enemy from the most advantageous points and distances. The wind blew in the face of the Spaniards during the engagement, and they had thus the disadvantage of being

* "Castella pelasgo innatantia."—*Strada*, dec. ii. lib. ix.

† "Profecto non densior hispidiorque sentibus suis histrix adversus circumlatrantes canes instruitur quum in sese conglobata cutem interdit et aculeos ejaculatur," &c.—*Strada*, dec. ii. lib. 9.

enveloped in the smoke of both the English and their own guns.*

The Spanish admiral still bore away into the Channel. Night came, and with it began the disasters of the armada. A great Biscayan ship took fire, either by accident, or by the act of a Flemish gunner, in revenge for an outrage offered him by a Spanish officer. A great galleon, commanded by don Pedro Valdez, fell foul of another ship, lost her foremast, and was taken with her captain and crew next day by Drake.

Valdez was sent a prisoner to Elizabeth, as the first pledge of victory.† Dr. Lionel Sharpe, who appears to have been at this period a chaplain in the queen's army, has given, in a letter to the duke of Buckingham, a curious account of the use made by Elizabeth or her council of the capture of Valdez.

"The queen," says he, "lying in the camp one night, guarded with her army, the old treasurer Burleigh came thither and delivered to the earl the examination of don Pedro, who was taken and brought by sir Francis Drake; which examination the earl of Leicester delivered unto me, to publish to the army in my next sermon. The sum of it was this: —

"Don Pedro, being asked, 'what was the intent of their coming?' stoutly answered the lords, 'What, but to subdue your nation, and root it out!'

"'Good!' said the lords; 'and what meant you, then, to do with the catholics?' He answered, 'We meant to send them (good men) directly to heaven, as all you that are heretics to hell.'—'Yea, but,' said the lords, 'what meant you to do with your whips of cord and wire?' (whereof they had great store in their ships). 'What?' said he; 'we meant to whip you heretics to death, that have assisted my master's rebels, and done such dishonours to our catholic king and people.'—'Yea, but what would you have done with,' said they, 'their young children?'—'They,' said he,

* Strad. dec. ii. lib. ix.
† "Veluti cœptæ jam victoriæ libamentum."—*Strada.*

'which were above seven years old, should have gone the way their fathers went; the rest should have lived, branded in the forehead with the letter L for Lutheran, to perpetual bondage.'

"This, I take God to witness, I received of those great lords upon examination taken by the council, and by commandment delivered it to the army." *

Dr. Sharpe takes God to witness that he received the above account from those great lords, and leaves it to be understood that he believed it to the letter. It was but one of those politic inventions to inflame the popular mind, which the decency of government at the present day would put forth semi-officially in a newspaper. Burleigh and Leicester, — the one an adept in state-craft, the other in religious hypocrisy, — did not scruple to invent or falsify this examination of Valdez; and where the public press would be employed as the vehicle for party fabrications or state lies in this age, the pulpit was the vehicle, and the clergy the agents, in the age of Elizabeth. It is true that the first English newspaper was published at this very epoch, and as an instrument to rouse the nation against the invaders, by the government of that great queen; but no engine is applied by the inventor to the full extent of its capacities.

The Spanish admiral continued to bear on for the Isle of Wight. Meanwhile reinforcements, consisting for the most part of vessels equipped at their cost, and commanded in person by English noblemen, private gentlemen, and citizens of London, were proceeding along the Channel to join the high admiral; and on the 23d, the wind veered to the north. The duke of Medina, observing the English reinforcing squadron coming towards him, — chased at the same time by the high admiral, and favoured by the change of wind,—resolved to give battle.† The English tacked and stood to windward in spite of every effort of the Spaniards, who disputed with them this advantage. The Spanish admiral

* Cabala. Lond. 3d edit. 1691. fol. p. 343.
† Strad. dec. ii. lib. ix.

disposed his fleet in order of battle, and made it death for any captain to quit his post.* He bore down with his utmost force, and endeavoured by grappling irons to catch and fix the light English vessels. The high admiral avoided, as before, close combat with ships whose lofty sides it would be difficult to scale, and of which the decks were protected against boarding by soldiers with their small-arms. The battle continued through the day, with more courage and perseverance than order or effect on either side. The only person of any note who fell on the side of the English, was William Cocks, a citizen of London, killed by a cannon-ball in the thick of the enemy's fire, whilst bravely fighting a little pinnace equipped and commanded by himself.

From the queen's parsimony, or the neglect or knavery of her subaltern agents, the fleet was insufficiently supplied with provisions and ammunition. The high admiral was condemned to inaction during the next day. He obtained the requisite supplies from the voluntary patriotism of the gentry near the coast, protestant and catholic. The Spaniards, too, must have been short of ammunition; for the duke of Medina sent to the duke of Parma for powder and shot, as well as for pilots and fly-boats.† In the evening, the lord admiral divided his fleet into four squadrons, commanded severally by Drake, Hawkins, Frobisher, and himself — with the design of attacking the Spaniards during the night. He was disappointed by a calm. A partial engagement, in which the English captured a Portuguese galleon, took place next day, the 25th of the month. On the 26th, the high admiral, whose ammunition again began to fall short ‡, announced his resolution not to renew the attack upon the Spaniards until he reached the Straits, where he should be joined by lord Henry Seymour and his squadron, stationed there to intercept the duke of Parma. He took advantage of this pause

* Camd. Ann. an. 1688.
† Strad. dec. ii. lib. ix.
‡ Discourse concerning Span. In. Har. Misc.

to confer knighthood, in the eyes of the fleet, on his brother lord Thomas Howard, lord Sheffield, Roger Townshend, John Hawkins, and Martin Frobisher. The duke of Medina meanwhile continued his course with a fair wind, reached the Straits, anchored off Calais, and sent a message to the duke of Parma to join him off Gravelines next day. Lord Howard came to an anchor within gunshot of the armada; his fleet increased to 140 sail by the junction of the squadron under lord Seymour and sir William Winter. It was of the utmost importance to break the Spanish design of a junction with the duke of Parma. The English admiral, inspired by his own genius, or aided by the experience and ingenuity of Drake *, adopted the following expedient with complete success: —He caused to be pitched and tarred, and filled with combustibles; eight of his lighter and less serviceable ships, and set them on fire at midnight adrift before the wind against the enemy. Such was the first, and, perhaps, the most memorable, use of fireships. The Spaniards, terrified at the novel sight, and imagining that they might have on board engines like those which spread death and ruin at the recent siege of Antwerp, cut their cables, and put to sea in all the confusion of a panic fright. The Spanish admiral had issued orders that, as soon as the danger was over, his ships should return to their respective stations. He fired one of his guns as a signal for obedience to this order. In the state of dispersion, terror, and clamour which prevailed, the signal was not heard. A large Neapolitan ship ran aground at Calais, and was taken by the English, after her commander, Moncada, had been killed. The greater number rendezvoused at Gravelines. Drake was sent in chase of them. He was soon joined by the high admiral himself, and the rest of the fleet. A fierce and final combat now began, and was maintained from four in the morning until be-

* Thuan. Hist. lib. lxxxix. "Ex Draci concilio." Disc. in Har. Misc. Camden, with a servility and absurdity unworthy of him, gives the credit to the queen: —"Spem credulam Hispanorum," says he, "prevertit Elizabethæ providentia, cujus jussu," &c.

tween five and six at night.* The English had the advantages of wind and tide, and previous victory, and the armada was defeated with the loss of thirteen or fourteen of their largest ships sunk or run aground. † The duke of Medina had no hope of being joined by the duke of Parma. That prince, whose crews were thinned by disease and desertion, and whose vessels were fit only to be used as transports, could not send even the fly-boats demanded of him, declined risking his troops on board whilst the Channel was commanded by the English fleet; expressed his regret that Flushing or some other port had not previously been secured as advised by Santa Cruz and himself ‡; and left the unfortunate Spanish admiral to his discretion and his fate.§ The duke of Medina determined to make for Spain. His situation was desperate. To force his way back through the Channel, in the face of the English fleet and a contrary wind, was hopeless. He resolved to penetrate to the main ocean, and return to Spain by a circuit round Scotland and Ireland. The high admiral chased him as far as Flamborough Head, and here thought to give the armada battle by way of farewell. He found he had not sufficient ammunition left,—a second and severe reproach to Elizabeth and her government. ‖ The duke of Medina is said to have determined to surrender; to have been dissuaded by his confessor or the priests on board; and to have made up his mind to surrender if he were attacked. ¶ Lord Howard and his fleet, having encountered a storm with little loss, returned to the Downs.

The joy of the nation and the queen was extreme and natural. A day of thanksgiving was observed: Elizabeth went in state to St. Paul's, in a triumphal car ornamented with the spoils and ensigns of the enemy.

* Mem. of Robert Carey, Earl of Monmouth, who was present.

† Ibid.

‡ The impatient presumption of Philip had made him reject this salutary counsel.

§ Strada, dec. ii. lib. ix. ‖ Disc. Har. Misc. Carte, Gen. Hist. b. 19.

¶ Hume and Carte, on the authority of Van Meteren. Monson, on the contrary, says that his confessor advised him to surrender.

Medals were struck bearing the inscriptions, "Venit, vidit, fugit" (a parody upon the words of Cæsar), and "Dux fœmina facti."

The defeat of the armada, as an exhibition of science and genius in naval war, has since been often surpassed by the English navy. But it was achieved by a combination of valour and patriotism which will never be exceeded, and cannot be contemplated without emotion after the lapse of two centuries and a half. The victory was in part due to the advantage of lighter and more manageable vessels. It was under the same circumstances that the victories of Actium and Salamis were gained.* The Spaniards relied upon their large and long vessels, from the success of the long Venetian galleys against the Turks in the battle of Lepanto.†

To return to the armada: — It was scarcely released from pursuit by the English fleet, when it was assailed and scattered by a storm. The greater number of ships which composed it, after various hardships, were thrown upon the Western Isles of Scotland, the shores of Norway, and the western coast of Ireland. The losses of the Spaniards have been variously stated. It seems certain that the duke of Medina returned to Spain with less than half the armada.‡ Such was the disastrous issue of an expedition which was the wonder and terror of protestant Europe, and cost the king of Spain ten millions. §

That storm, says Strada, which shook heaven and earth, could not disturb the breast of Philip. The first messenger who came with the disastrous news, communicated it to two old and favoured courtiers, Mora and Ildaquese, who were waiting at the door of Philip's cabinet. Each wished the other to be the bearer of the news to the king. The task was undertaken by Mora. Philip was writing as he entered — laid down

* Plutarch, cited by Montesquieu, Grandeur et Décadence des Romains.
† Strada, dec. ii. lib. ix.
‡ Disc. Har. Misc., Camden, Strada, Thuanus, and Grotius, mainly agree.
§ In gold ducats. Thuan. Hist. lib. xlix.

the pen — heard the news — thanked God it was no worse* — said he had men and money for another expedition — resumed his pen, and continued his writing. Mora returned to his brother courtier, related what passed, and exclaimed, with a smiling countenance, "The king sets at nought all these misfortunes, and so do I."† The devout stoicism of Philip has been held up as a wonder. What was it but the self-gratulation of an inhuman despot, who valued men only as a gambler reckons counters; and consoled himself for those he had lost, by contemplating what remained to him? He shortened the time of mourning, in imitation of the Romans after the battle of Cannæ.

The queen's joy on the dispersion of the armada — but not the nation's — was for a moment clouded. Leicester died of fever, as then supposed — of poison, as it appears from a recent publication — in September, whilst escorting his wife to Kenilworth castle; where, from jealousy of sir Christopher Blount, her master of the horse, he purposed secretly despatching her. He was accused of poisoning his first wife, the husband of his then present wife, and other persons. But this expert poisoner became the victim of his own arts. The lady, suspecting or apprised of his design upon her, took advantage of an indigestion produced by his habitual gluttony, at Cornbury-hall, in Oxfordshire, to give him "a cordial draught," which proved his last.‡ She next married the equerry. Leicester was never in higher favour with the queen than at his death. She was with difficulty dissuaded by Burleigh and Hatton from creating him her lieutenant in the government of England and Ireland.§ This fact cannot easily be reconciled with her jealous temper, and her indignation on his being invested with extensive powers by the states-general. But her affection as she grew old may have par-

* Hume says he threw himself on his knees; but Strada's account is equally graphic, and more in character.
† Strada, dec. ii. lib. ix.
‡ Wood's Ath. Oxon. by Bliss, ii. 75.
§ Camd. Ann.

taken more of dotage; or she may have viewed with less jealousy, powers derived directly from herself, and to be exercised under her eye. Leicester had the reputation not alone of religious hypocrisy and the darkest crimes, but of incapacity and cowardice, and Elizabeth was no mean judge of character. Her choosing such a person for her chief favourite would be unaccountable, if court favourites were not proverbially worthless. His contemporaries avenged themselves by severe satires upon the wickedness of his life. Burleigh was supposed to have supplied father Parsons with the materials for "Leicester's Commonwealth." That Jesuit is not now regarded as the author, but the materials must have been supplied, or the book written, by a courtier; and the courtier may have been Leicester's jealous colleague in the queen's council. The reputation of Leicester was vindicated by sir Philip Sidney; but Sidney was his nephew and presumptive heir. The queen's regard for him ended with his life. She caused his goods to be sold, to reimburse her for sums in which he died indebted to her. Thus sordid was her avarice, or, perhaps, thus selfish and animal was her attachment to him.

The government of Elizabeth had now attained the highest state of power and splendour. The independence of the nation, and the queen's title to the crown, were alike secure. From domestic, unaided by foreign, enemies she had nothing to fear. The catholics were bowed to the earth, and went, moreover, through the ordeal of the Spanish invasion in such a manner as to prove that offered relief and favour as religionists could not reconcile them as Englishmen to a foreign yoke.* 1589.

* Elizabeth, as stated in the preceding volume, reposed in them a politic confidence, in opposition to some of her advisers. She merely confined a few, and those few because they were particularly open to suspicion. The advice given to the queen, if Camden may be relied on, was sufficiently atrocious, without the turn given to it by Dr. Lingard: "Several of the ministers," he says, "began to look on the massacre of St. Bartholomew as a useful precedent." Where did Dr. Lingard discover that they were ministers? Camden merely says, *nonnulli*,—some persons. Again, Camden says expressly, that those persons, whoever they were, impressed upon her the example, not of the massacre of

The puritans were held in complete check, and were, moreover, attached to her person and title. The king of Scotland, watched by her agents, and bribed by promises which she did not fulfil *, adhered to her in spite of the solicitations and intrigues by which the emissaries of Spain and the Scotch catholics would persuade him to avenge the murder of his mother. The United Provinces depended upon her for their very existence. The distractions of France, and the new position of Henry III. with reference to the league upon the death of the duke of Guise, precluded in that quarter all interference. From protestant Germany and Sweden she might expect support, in an age when religion more than ambition determined alliances. Her relations of amity with the Hanseatic towns, and with Denmark, were disturbed only by minor commercial differences. She cultivated the friendship of Poland, and supplied her navy by importations from that country.† Muscovy was not yet a power, but she was in close amity with the barbarous chief of the hordes of that country. Strada gravely accuses her of having contracted an impious alliance with the Turk. So great, in point of fact, was her influence at Constantinople, that, in little more than a year after the defeat of the armada, the grand seignior was dissuaded by her ambassaor from attacking Sigismund king of Poland with 60,000 men, and wrote her letters, gallantly offering, if she required

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St. Bartholomew, but of her father; an atrocious one surely, in cutting off Neville, and some others, who were likely to join the king of France and the emperor, in their threatened, but abandoned, invasion of England. (Edw. Nevillum et alios quos cœpto fauturos suspicabatur e medio sustulit.) No: the massacre of St. Bartholomew is unprecedented even as a conception of human wickedness. This disingenuous turn was unworthy of so eminent an historian. The bitter spirit in which he treats the execution of some catholics, and the trial of Philip Howard, earl of Arundel, after her victory, is more excusable, if not fully warranted. Arundel was a close prisoner; the evidence against him was suspicious, and, even if admitted, fell far short of treason. The queen, however, spared Arundel's life. He was a person of ascetic devotion and poor understanding. Dr. Lingard, and his epitaph, insinuate that he died in the Tower, not of his devout austerities, but of poison.

* Camd. Ann.

† Lodge's Illust. iii. 9. Rym. Fœd. xvi. 74.

it, "to make the king of Spain humble himself to her." * Philip II. and the pope were her only enemies. Having just dispersed the armada, she had little to fear from the arms of the one, and was now proof against the denunciations of the other. Such was the eminence to which Elizabeth had raised herself as a sovereign, and her kingdom as a European power, by the vigour and prudence not only of her councils, but of her personal character, when she summoned and met a new parliament on the 4th of February, 1589.

The spiritual arm of the pope, unaided by the temporal arm of the king of Spain, could now give little uneasiness to Elizabeth. She determined to follow up the blow inflicted upon Philip. The chancellor Hatton, who had succeeded Bromley †, impressed upon the lords and commons, by her order and in her presence, "the pride, fury, and bitterness of the Spaniard;" urged the necessity of "a diligent preparation of arms, forces, and money;" above all, "the repairing and equipping of the navy, which was the greatest bulwark of the kingdom;" and stated that this was the great cause of the summoning of parliament. Elizabeth's demand of loans upon her privy seal, and her levies of men and ships for the defence of the kingdom, on her simple warrant, had been cheerfully complied with. The city of London furnished double the amount of men and ships required. She received two subsidies from the clergy, without the consent of parliament ‡, pending the invasion; and raised money by forced loans, with more reluctance on the part of the lenders, immediately after the defeat of the enemy. These arbitrary acts of prerogative passed without remonstance or indemnity. Two subsidies of four fifteenths, and a confirmation of two subsidies of six shillings and three shillings in the pound, to be paid in three years by the clergy, were demanded by the queen's ministers. This large supply was not opposed, but did

* Private letter of Wm. Cecil, son of lord Burleigh, in Lodge's Illust. ubi suprà.

† In April, 1587.

‡ Rym. xvi. 5.

not pass without observation. The former subsidy of two fifteenths, and the large sacrifices made by individuals to meet the Spanish invasion, indisposed the commons to bear a new and unusually heavy charge, and the matter was not taken into consideration until the 29th of February. The chief cause, however, of reluctance and delay appears to have been the wish to obtain a redress of certain grievances as the condition of the grant. It was argued that other bills should have precedence, because, when the subsidy bill was once passed, there would be an end of the session.* The main grievances were the practice of the court of exchequer; and the mode of supplying the queen's household by what was called purveyance. Suits relating to the queen's revenue were iniquitously prosecuted in the exchequer court; the established rate of purveyance was far below the market price; the purveyors were guilty of corrupt practices, extortion, and oppression. Bills for the correction of the abuses, both of purveyance and the exchequer, were in progress through the commons when the lords desired a conference. It came out that those bills gave great offence to the queen. The lord treasurer, Burleigh, informed them that "her majesty misliked both bills." A committee of the commons, with the speaker at their head, waited on her, with a somewhat ambiguous submission. Elizabeth told them that the regulation of her household and her revenues belonged only to herself; that she had as much skill, will, and power to rule and govern them, as her subjects had to rule and govern theirs without the aid of their neighbours; but that, out of her loving-kindness to her people, whom she loved better than she loved herself, she had already taken steps for the correction of those abuses. Eventually they were imperfectly redressed.

The commons, it may be observed, manifested a sense of their privileges, without venturing to push them to an issue with the arbitrary prerogative of Elizabeth;

* See Cobbett's Parl. Hist. i. 857.

and the queen complied with the demands, whilst she rebuked the pretensions of the commons. This compromise of mutual and prudent fears was far short of the security of a constitutional government, but yet secured the people from extensive or flagrant wrong. In every direct conflict — if it amounted to conflict — with the queen and the prerogative, the house of commons was worsted, and even chastised; but its very chastisements kept alive the tradition of its privileges. On the 29th of March, both houses joined in advising the queen to make war upon the king of Spain; and the parliament, after having passed several useful acts*, was dissolved.

The Portuguese hated the foreign yoke of Philip II. from national antipathy, the tyranny of his government, and the rapacity of his courtiers. Don Antonio, prior of Crato, calling himself king of Portugal, resided in England, with a semblance of royal state. Elizabeth resolved to espouse the cause of the prior, and invade the dominions of the king of Spain in her turn.

The expedition, according to the practice of the age, was chiefly equipped by private adventurers. Elizabeth contributed only 6000*l.* and six ships of war. Sir Francis Drake and sir John Norris, who had invested large sums, were appointed to the chief command, the one by sea, the other by land. Writers are not agreed as to the military and naval force. It is variously stated from 18,000 to 20,000 men.† The expedition sailed from Plymouth on the 18th of April, landed at Ferrol after five days' sail, laid siege to Corunna, took the lower town by storm, and defeated, with the loss of 700 men, count Andrada, who came to the relief of the besieged. The fortunes of the English now underwent a miserable change. A pestilential disease, contracted from the heat of the climate, contagion, and

* See Cobb. Parl. Hist. End of the reign of Elizabeth.

† The highest number is stated in Birch's Mem. on the authority of captain Fenner, one of the adventurers: the lowest by Stowe and Monson.

intemperance, thinned the besiegers to such an extent, that the troops reimbarked, for Portugal, on the 9th of May. The expedition was met and joined, on the 18th, by the young earl of Essex, who, from eagerness to distinguish himself, the thirst of military glory, and the hope of repairing his fortune, already deranged by his munificence, had, in defiance of the queen's prohibition, fled secretly from court.* It may be right to introduce, with a few words, one who had every liberal accomplishment, every generous virtue, whose career was brilliant, whose end was unfortunate. At his father's death he was but ten years old. His guardian was Burleigh. Leicester, who married his mother, and was suspected of having poisoned his father, overcame the early aversion of the young earl †, and introduced him at court. He was the queen's kinsman. ‡ His promotion, then, did not spring from the mere fancy of Elizabeth. She appointed him master of the horse at the age of twenty, but he had already served with distinction in the Low Countries, and especially at the battle of Zutphen, memorable for the death of sir Philip Sidney.

Sir Roger Williams, with his regiment, accompanied Essex. The expedition landed at Peniche on the 16th, took the town and castle, advanced upon Lisbon, took possession of the rich suburbs on the 24th, abstained from plundering the subjects of don Antonio, whom the English regarded as allies, but failed to make any impression upon the city itself, which Philip had already secured by a strong garrison, and by disarming the partisans of the unfortunate prior. The mortality still continued undiminished among the troops. Drake found it impossible, or judged it imprudent, to attempt a co-operation from the river, which was protected by a squadron of galleys and a battery of fifty pieces of artillery; and the troops were finally reimbarked at Cascaes, near the mouth of the Tagus, to return to England.

* Ellis's Original Letters, &c. iii. 282.

† Reliq. Wott.

‡ See the table of his descent in Walp. Cat. of Royal and Noble Auth. art. Essex.

Drake, having taken and plundered Vigo on his way, arrived at Plymouth on the 21st of June; and Norris, with the remainder, on the 3d of July.

Six thousand men perished in "this miserable action," as it is called by captain Fenner, one of the adventurers*, and of 1100 gentlemen only 350 returned.† This disastrous issue has been ascribed to various causes,—the failure of the emperor of Morocco to supply don Antonio with a sum of 200,000 crowns, which he had promised; the mistake committed at the outset in not proceeding directly against Lisbon; the failure of Drake to force his way up the Tagus, and cannonade that city. But no small portion of the result seems chargeable upon the policy and personal character of Elizabeth. Having at her disposal a large subsidy, and the national desire of triumph and revenge, she should have sent out an expedition, planned, on their responsibility, by her able counsellors. She might thus have struck a blow which would precipitate the ruin of the Spanish monarchy, and humble the pride of an inhuman tyrant, by making him a witness of the decay which became apparent soon after his death. Governed by her innate parsimony, she confined herself to a petty share in an ill-governed private adventure.

The economy of Elizabeth on this and other occasions contrasted somewhat inconsistently with her liberality in supporting the states-general of the Low Countries against Philip II., and Henry IV. against Philip and the league. The duke of Parma, after his failure to join the armada, carried on an indecisive, ignoble, and fatiguing contest against prince Maurice and the states, with hopeless disgust. In France, affairs had taken a turn still more adverse to Philip. Henry III., in whom were strangely compounded courage and capacity, depravity and weakness, was compelled to acknowledge the ascendant of the duke of Guise and the league, and by them forced to declare war against

* Letter to Ant. Bacon. Birch's Hist. View.
† Birch's Mem. vol. i. p. 58, &c.

Henry, then king of Navarre, and the huguenots. He found himself a mere puppet in the hands of Guise, and was even threatened with a convent to make way for the elevation of Guise to the throne. Henry resolved to extricate himself by means worthy the son of Catherine of Medicis. He invited Guise to an assembly of the states at Blois, convened ostensibly to concert measures against the huguenots; partook the communion with him and his brother the cardinal, swore upon the host to love them always *, and caused them to be assassinated. The duke of Mayenne, who succeeded as head of the league, was an incompetent chief; but the catholic population of France, and especially the Parisians, idolised Guise for his chivalrous gallantry, and were thrown into an access of rage and vengeance, which rendered the position of Henry III. more perilous than ever. He adopted the only course left him — a junction with the huguenots and his presumptive heir, the king of Navarre; and the two princes marched at the head of an army to besiege the capital.

The sixteenth century is characterised by the union of two springs of human action, seemingly alien in their nature — policy and fanaticism. Assassination was the common resource of both. Henry assassinated the duke of Guise, and became himself the victim of Jacques Clement, a young Dominican friar, of weak intellect and susceptible imagination, who stabbed him before the walls of Paris on the 1st of August, 1589.

1590. The throne of France now passed from the branch of Valois to that of Bourbon. Henry of Navarre, next in succession, assumed the title of Henry IV. of France. He was little more than a titular king. Half the chiefs of the army, who served under Henry III., deserted the standard of an excommunicated heretic. The allegiance of those who adhered to him was expressly conditional. † The league proclaimed the cardinal of

* Voltaire, Essai sur les Mœurs.

† See Henry's oath to maintain the Roman catholic religion at the peril of his life; and the oath of the catholic nobles, upon that express condition, to bear him allegiance, Rymer, xvi. 19.

Vendôme king by the style of Charles X. Philip II. intrigued with renewed activity to abolish the Salic law, and place the crown of France on the head of his daughter; or, failing in that, to dismember the kingdom. Henry IV. had only the resources of a capacity for war and government, not of the first order; an engaging character, with certain conciliating felicities of expression; an ostentatious gallantry in the field; a small but devoted band of friends; the friendship — politic, doubtless — of Elizabeth. Chased from Paris to Dieppe, by the duke of Mayenne, he hesitated whether he should not adopt the counsel of taking momentary refuge in England, was dissuaded by old marshal Biron *; made head with only 7000 men against a force of 30,000, under Mayenne; applied for succour to Elizabeth †, and proposed to her a league with the protestant courts of the north of Europe. ‡ Elizabeth hitherto was a friendly but rather quiet witness of the oppression of the French protestants, which only weakened a neighbouring and rival kingdom; but now her mortal enemy Philip claimed the crown of France for his daughter, and occupied two French seaports opposite to the shores of England. She accordingly sent Henry a reinforcement of 4000 men, under lord Willoughby, an experienced officer, who soon distinguished himself §, with 22,000*l.* sterling, which Henry declared was the largest sum he had ever seen. || Thus strengthened, he resumed the siege of Paris, took and plundered a suburb, was obliged to abandon it to Mayenne, who had entered the capital with a large force, fought, and won the battle of Ivry against the leaguers and Spaniards, reinvested Paris in March, 1590, and was on the eve of taking it by storm or capitulation, when the duke of Parma, advancing from the Netherlands, compelled him to raise the siege. That great captain foiled, by his

* Thuan. Hist. lib. xcvii.
† Rymer, xvi. 22, 23.
‡ Ibid. p. 24.
§ Letter of Henry to Elizabeth, Rym. xvi. 29.
|| Hume.

superiority in the science of war, every attempt of Henry to bring him to action, and, having accomplished his object, returned to the Netherlands. The English auxiliaries revived in France, by their gallantry on various occasions, the ancient renown of English arms, and returned home upon the expiration of their term of service.

1591. The necessities of Henry and the interests of Elizabeth soon demanded a fresh reinforcement. The duke of Mercœur, a prince of the house of Lorraine, overran Britany with Spanish troops. Elizabeth regarded with deep interest the possession of a maritime province of France by Philip II. In pursuance of a treaty with Henry, concluded early in 1591 *, 3000 English troops were sent over to France upon the express condition that they should be employed, one half under sir John Norris, in dislodging the Spaniards out of Britany; the other under sir Roger Williams, with the same object in Picardy. It was the interest and eager wish of Elizabeth to prevent the occupation of maritime provinces contiguous to her shores by her deadly enemy. Henry, on the other hand, had the strongest motives for directing his whole force, in the first instance, against the league in the heart of his kingdom. This conflict of interests between him and his ally led him into violations of his engagements, and the practice of mean arts, which deprive him of all title to that reputation for chivalrous good faith for which Voltaire has given him credit. They may be excused by his situation, but only on the supposition of his being a personage of vulgar character.

He declared the force of 3000 men insufficient, requested further aid, with which he undertook to recover Rouen from the leaguers, and obtained from the queen a reinforcement of 4000 men, under the command of the earl of Essex. The earl arrived in France, full of ardour to signalise himself at the siege, and found that it had not been even thought of by Henry, who pro-

* Rymer, xvi.

posed to employ the English auxiliaries in Champagne. Essex, upon the queen's repeated orders *, returned unwillingly to England, having left the troops under the command of sir Roger Williams, and his word of honour with Henry to go back upon the commencement of the siege. Elizabeth, indignant at the imposition thus practised upon her, threatened to recall her troops.† She was a princess who did not threaten in vain; and Henry, who knew this, propitiated her by ordering marshal Biron to invest Rouen. He took occasion, at the same time, with some sacrifice of dignity, to solicit a further aid of 5000 men, on the pretence that the troops had been thinned by sickness and desertion. The queen angrily and peremptorily refused all his entreaties, coming not only through his ordinary ambassador, but through a special envoy, Du Plessis Mornay. Essex no sooner heard of the commencement of the siege of Rouen than he went over to redeem his pledge, in violation of the express orders of Elizabeth, who commanded him to return. The besiegers, French and English, distinguished themselves in a spirit of amicable rivalry by several actions and encounters of conspicuous skill and gallantry. Essex was so eminent for his valour, that the French named him the English Achilles.‡ His brother was killed in a skirmish, and a party of the besieged reproached the English with their not avenging his fall. Essex took this as a personal affront, and sent the governor Villars a personal challenge, on horse or foot to decide which was the better man, fought for the better cause, and served the fairer mistress. Villars declined the challenge, on the ground of his public charge, and in gross terms, which, according to Mezeray, the French "men of the sword" condemned. He gave Essex the lie upon the three several points; but, added as to the beauty of their mistresses, that "*toutefois ce n'estoit pas chose*

* Rymer, xvi. 146, &c.
† Rym. Fœd. xvi. 111. 114. 116, 117. 120—123. 126. 128.
‡ Thuan. v. 112.

dont il se mist fort en peine pour cette heure là." * Rouen was strongly garrisoned, and abundantly provisioned, and Villars a brave and experienced officer. The siege proceeded slowly, with little hope of success. The duke of Parma advanced once more from Flanders into France; and, reappearing with his accustomed superiority, compelled Henry to raise the siege of Rouen, as he had before compelled him to raise that of Paris.

1592. Common enmity to Philip, and a common interest in defeating his schemes of aggrandisement, formed a paramount bond of union between Henry and Elizabeth. It is obvious that he knew and abused this advantage on his side. The queen, having reproached him with his artifices and received his excuses, concluded with him a new convention in 1592 †, under which she engaged to furnish him with 4000 men, some pieces of artillery, and a certain quantity of ammunition, upon the condition that Henry should add 4000 foot and 1000 horse, the whole force to be employed in the reconquest of Britany; that he should reimburse her within a year; that he should place in her hands one of the sea-ports of Britany, as a refuge, if necessary, for the English troops; that he should not make peace with the leaguers, except upon their complete submission, and their pledge to aid him in driving the Spaniards out of France, and that she should be a party to any negotiation between Henry and the king of Spain. Henry submitted to terms, some of which it was neither his intention, nor, perhaps, within his power, to make good. Elizabeth sent sir John Norris with 4000 men into France; but her ally, instead of employing them with an additional force of 5000 French troops in the reconquest of Britany, ordered them into Normandy, again provoked the resentment of Elizabeth by his infidelity to his word, and again made excuses, which

* Mez. iii. 990. These chivalrous challenges at this period were not peculiar to soldiers. Sir Henry Unton, the queen's ambassador, challenged the duke of Guise on horseback or on foot, with the choice of arms, the duke having "reviled queen Elizabeth." Rymer, xvi. 118.

† Rymer, Fœd. xvi. 194.

would not have availed if they had not been strengthened by the duke of Parma's advance into France. The object of that prince's present expedition was to place the duke of Mayenne on the throne* of France in the interest of Philip II. The crisis was one of the most alarming which had occurred through the whole contest. Henry and Elizabeth were relieved from their fears and danger, by the death of that great captain at Arras, on the 3d of December, 1592.†

The queen at the same time sent out ships of her own, and encouraged private adventurers to attack the American possessions and treasures of Philip. Of these the most remarkable was the expedition of lord Thomas Howard, signalised by the heroic death of his vice-admiral, sir Richard Grenville. Lord Thomas, whilst lying in wait at Florez for the coming of the Spanish plate fleet, was surprised by Alphonso Bassan, brother of that Santa Cruz who was to have commanded the armada, and had much difficulty in getting to sea with only five of his ships. Sir Richard Grenville, waiting to take on board some of his ship's crew who were ashore, was enclosed between the island and the enemy's fleet, so as to be unable to get to windward. With his single ship he made a desperate effort to break through the enemy's line of battle, maintained a fight of fifteen hours, was fifteen times boarded, and had his deck still cleared of the enemy. His crew at last was, for the greater part, killed or wounded, his ship pierced by 800 shot, his ammunition spent, himself covered with wounds: but no English ship had yet struck her colours to a Spaniard; and he ordered the gunner to blow up the Revenge. The execution of this order was prevented by the lieutenant, who surrendered; and Grenville, having been received on board the Spanish admiral with due honour, died in two

* Davila, lib. xiii.

† He fell from his horse in extreme pain, crying, "Io sono ingannato, portatemi l'acqua contra il veneno." The antidote, according to the account in Birch (Mem. i. 99.), "operated *wonderfully* well; but he never spoke again, and died immediately!"

days, of vexation and his wounds. The Spaniards lost in the action 2000 men, and four of their largest ships; the Revenge foundered at sea, near Terceira, with a Spanish crew on board; and the plate fleet, having been detained beyond the favourable season, was wrecked on its return. Sir Walter Raleigh equipped a fleet chiefly with volunteers, attracted by his reputation, but was detained so long by contrary winds, that he only took one vessel and destroyed another. Thomas White, a Londoner, who fitted out a few ships at his own cost, had better fortune. He took two Spanish ships freighted with 1400 chests of quicksilver, and with goods of another and a curious kind,—2,072,000 indulgences, purchased by his catholic majesty at 300,000 florins, with the charitable purpose of re-selling them to his Mexican subjects at 5,000,000 in gold. This commodity would have been useless to Thomas White for the home market. Whether he made any attempt to dispose of it according to its original destination does not appear.

The queen's expenses in carrying on the war against Philip in the Netherlands, in France, and in the West Indies, exceeded 1,000,000*l.* sterling.* The exhausted state of her exchequer, and the scantiness of her permanent revenue, obliged her to summon a parliament. She had lost, meanwhile, two of her favoured and distinguished counsellors, the lord chancellor Hatton and secretary Walsingham. Sir Francis Walsingham had the rare art to combine the reputation of the ablest diplomatist of his time, and the most expert recruiter and employer of spies at home and abroad, with that of an honest man. He died poor, leaving an only daughter, married first to sir Philip Sidney, then to the earl of Essex, and lastly to the earl of Clanricarde. Hatton, like Leicester and some others, was supposed to have been admitted to more than common favour by Elizabeth. His death is said to have been hastened, if not caused, by the harshness with which she exacted pay-

* Speech of lord Burleigh, in Strype's Annals. See Parl. Hist. i.

ment of a debt due to her, out of the tenths and first-fruits under his management. Sir John Puckering, who succeeded Hatton, opened the new parliament on the 19th of February, 1592–3. He told them they 1593.
were called together not to make new laws, or "lose good hours in idle speeches," but to vote a supply for the purpose of enabling her majesty to defend herself against the inveterate hostility of the king of Spain, and his renewed preparation to invade her dominions; and ended with commanding the commons in the queen's name to elect a speaker. Their choice fell on sir Edward Coke, then solicitor-general. His speech on his election is one of the most characteristic specimens of his pedantry and puerility. His appointment having been approved by the queen, he made her the three usual requests—freedom from arrest, liberty of speech, and access to her person. Elizabeth answered by the mouth of the lord keeper, in such a tone, that, if her despotic pretensions were not tempered by her prudence, the privileges and deliberations of parliament would have been a mockery. She told the commons that their first prayer was granted, with this qualification, that wit and speech were things calculated to do harm, and their liberty of speech extended no farther than "ay or no;" that if any idle heads hazarded their estates by meddling with matters of church and state, the speaker should not receive their bills. The petition for freedom from arrest is granted with this special proviso, "that no man's ill doings (a word of perilously wide interpretation) be covered or protected." The privilege of access to the royal person was to depend upon the importance of the occasion and her majesty's leisure.

This answer was equivalent to a denial of the three customary privileges petitioned for by the speaker. It seems to have been the purpose of Elizabeth to rebuke and intimidate, by anticipation, some apprehended disposition in the commons to thwart her will and pleasure. Her apprehensions were not groundless; Peter Wentworth, already signalised by his freedom and fearlessness

of speech, reproduced the forbidden topic of the succession. He presented to the lord keeper a petition agreed to by the commons, praving her majesty to entail the succession to the crown, and intimated that he had a bill already drawn for the purpose. This petition appears to have been agreed to by the commons in the absence of the speaker*, who would, doubtless, have employed his authority or ingenuity to defeat it. Wentworth the originator, sir Henry Bromley who seconded him, and two members named Welsh and Stephens, who assisted in drawing the petition, were summoned before the council, and committed by the queen's warrant, the first to the Tower, the three other members to the Fleet. Such was Elizabeth's indignation, that the suggestion of an application by the house for their release was abandoned, as more likely, according to the privy counsellors present, to provoke her to increased severity.† Such, it may be added, was the crouching

* Carte, b. xix. p. 644.

† Elizabeth, like all despots, was not only jealous of sharing her power, but would persuade herself that she was immortal. She would neither marry when young, nor name a successor when old. She made the following angry memorandum with her own hand upon an address of two committees, in which marriage was suggested to her, in 1566:—

"Let this two concernings into one mening, and my counsell is all giuen, let not other regard them selves so holy as I have no corner left for me. Let them knowe that I knewe, thogh I folowed not, that some of them wold my pure conscience better served me than ther lewde practises could auaille with me. I knowe no reason whi any my privat answers to the realme shuld serve for prologe to a subsidey vote, neither yet do I understand why suche audacitie sauld be used to make without my license an act of my wordes, or my wordes like lawiers bokes whiche now a dayes go to the wiar drawers to make subtall doings more plain. Is ther no hold of my speche without an acte compel me to confirme? Shall my princely consent be turned to strengthen my wordes that be not of them selves substantives. Say no more at this time, but if thes felowes were wel answered, and payed with lawful coyne, ther wold be fewer counterfaits amonge them." (Printed in the Archæologia, xviii. p. 282. from the Lansdowne MSS.)

Harrington (Nugæ Antiquæ, ii. 248. Parke's ed.) gives the following graphic account of the effect produced by a suggestion of archbishop Hutton from the pulpit in the royal chapel at Whitehall, that she should name a successor. The date is not given, but it must have been about the year 1600.

"I no sooner remember this famous and worthie prelate, but I thinke I see him in the chappell at Whitehall, queene Elizabeth at the window in the closet, all the lords of the parliament spirituall and temporall about them, and then (after his three courses) that I heare him out of the pulpit thundering this text: 'The kingdomes of the earth are mine, and I do give them to whom I will, and I have give them to Nebuchadonezer, and his sonne, and his sonnes sonne;' which text, when he had thus produced, taking the sense rather than words of the prophet, there followed first, so generall a murmur of one friend whispering to another; then such an erected

pusillanimity of the commons, where their privileges were trampled with contemptuous despotism.

Religion the most powerful and reckless of human motives in an age of imperfect civilisation and fanatical zeal, failed to actuate the mass of the commons.

The puritans, in spite of precautions and penalties, employed the forbidden power of the press. A series of pamphlets, written with all the violence of religious dispute, and all the coarseness of theological raillery, issued, under the title of "Martin Marprelate," from a clandestine press, which by frequent change of place long eluded discovery.* The 23d of Elizabeth, an inhuman statute, enacted originally with some colour of justification against Roman catholics, who denied the legitimacy of the queen's birth and title, was now directed against the puritans. Barrow, Greenwood, Penry, men of enthusiastic temperament, heated by persecution; Udall, a clergyman of more moderation; Hacket, a wretched maniac, who called himself king Jesus, and would depose the queen—a fit subject only for a lunatic asylum; these, after a course of criminal

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countenance in those that had none to speake to; lastlie, so quiet a silence and attention, in expectance of some strange doctrine, where the text it selfe gave away kingdomes and scepters, as I have never observed either before or since. But he, as if he had been a Jeremiah himself, and not an expounder of him, shewd how there were two speciall causes of translating of kingdomes; the fulness of time, and the ripeness of sinne; that by either of these, and sometimes by both, God in secret and just judgments transferred scepters from kindred to kindred, from nation to nation, at his good will and pleasure, and running historically over the great monarchies of the world ..... till the days of her majestie, who, for peace, for plentie, for glorie, for continuance, had exceeded them all; that had lived to chaunge all her counsellors but one, all officers twice or thrice, some bishops foure times; only the uncertaintie of succession gave hopes to foreiners to attempt fresh invasions, and breed feares in manie of her subjects of a new conquest. 'The only way then (said he) that is in policie left to quaile those hopes, and to assuage these fears, were to establish the succession.' .....

"When he had finished this sermon, there was no man that knew queene Elizabeth's disposition, but imagined that such a speech was as welcome as salt to the eyes, or, to use her own words, to pin up her winding sheete before her face, so to point out her successor, and urge her to declare him:—wherefore, we all expected that she would have been not only highly offended, but in some present speech have shewed her displeasure ..... Yet when she had better considered the matter, and recollected her selfe in private, she sent two councellors to him with a sharp message; to which he was glad to give a patient answer."

* State Trials, Information against Knightly in the Star-Chamber.

procedure, an exact counterpart of the inquisition, were condemned, and, with one exception, executed. Udall died in prison whilst under a reprieve, and soliciting a pardon on the condition of transporting himself to the factories of the Turkey Company in Africa. Archbishop Whitgift with his ecclesiastical commission, bishops' courts, and the countenance of Elizabeth, enforced conformity by deprivations, fines, and imprisonments. These severities tended only to increase the numbers, the confidence, and organisation of that persecuted sect. When did persecution ever operate otherwise? There was a party in the queen's council which made a politic show of protecting them. Leicester and Walsingham were of this party, and Burleigh affected to give them countenance. A proposition was made to him that all persons should be compelled to make a declaration, that episcopacy was "lawful by the word of God." He replied with a smile, "Lawful by positive law, I grant you, but by the word of God that is another matter."* Morrice, attorney of the court of wards, a zealous but enlightened puritan, already distinguished by his writings against the ecclesiastical commission courts, moved the house "touching the hard courses of bishops and ordinaries, and other ecclesiastical judges in their courts, used towards sundry learned and godly ministers and preachers of this realm, by way of inquisition, subscription, and binding, absolutely contrary to the honour of God, the regality of her majesty, the laws of this realm, and *the liberty of the subjects;* compelling them, upon their oaths, to accuse themselves in their own private actions, words, and thoughts, if they shall take such oaths, because they know not to what questions they shall answer till after the time they be sworn; and also after such examination proceed against them by deprivation, degradation, or suppression, upon such their own accusation of themselves; and if they refuse to take such oaths, they commit them to prison, and there keep and detain them at their own pleasure, not ab-

* Birch, Mem. i. 62.

solving or releasing them until they shall have taken an oath of canonical obedience to their ordinaries." Such are the words of this true protestant. He concluded by offering the speaker two bills, one concerning the inquisitions, subscriptions, and forced oaths; the other concerning the penalties of refusal. His motion appears * to have been supported by, among other members, sir Francis Knolles, who stood high in the queen's favour, and was her kinsman. But the courtiers, the court lawyers, and doctors of the civil law, on the other side, urged the queen's expressed prohibition to touch on matters concerning reformation in church and state—her certain displeasure at what they argued was an invasion of her prerogative; and the speaker (sir Edward Coke) requested that the bills should be allowed to remain in his hands for his perusal. Elizabeth set no bounds to her resentment: she sent for the speaker, charged him to tell the commons that parliaments were the creatures of her will, to summon or dissolve them—to nullify or give effect to their proceedings; that she was indignant at their presumption; that she forbade once more the exhibition of any bills, touching the reformation of matters of state or ecclesiastical—that, in fine, she commanded him, on his allegiance, if such were exhibited, not to read them. To prove that these were not idle words, a sergeant-at-arms, by her warrant, arrested Morrice in the house, and conveyed him to Tutbury Castle.†

Elizabeth, having thus chastised the commons, sent them a bill "for keeping her majesty's subjects in their due obedience." This bill but gave a new and keener edge to the statutes of conformity already in force; it provided that any person above the age of sixteen, who refused, during the space of one month, to attend the established public worship, should be impri-

* Journals of D'Ewes and Townsend in Parl. Hist. i.

† Heylin, Hist. of Presbyt. Neale. Townsend's Journal says he was committed to the custody of sir J. Fortescue. It appears from Lodge (iii. 35.), that he was soon released, and that Essex solicited his promotion without effect. See, also, Birch, Mem. i. 126.

soned; that such person, so condemned and persisting in the offence during three months, should abjure the realm; and in case of refusal, or return from banishment, should be punished with death. The bill, repudiated, doubtless, by the conscience of a large majority of the commons, was yet but feebly opposed: such was their fear of the queen's displeasure and authority.

The commons now voted a supply of two subsidies and four fifteenths; the lords dissented from this supply as insufficient, and, at the suggestion of the court, proposed a grant of three subsidies and six fifteenths. Sir Robert Cecil, in his report of the conference, informs the commons that the lords had shown the produce of the double subsidy of four fifteenths, voted in the last parliament, to have amounted only to 280,000*l.*, that in the city of London the highest individual assessment for goods was 200*l.*, and only four persons had been assessed to that amount: this should be taken as a proof of the irregularities and abuses in the assessment and collections in the revenue, not as a criterion of the wealth of the kingdom or the capital. The commons protested against this proceeding of the lords, as an invasion of their privilege to originate money bills, but very soon and very submissively acquiesced in the proposed increase. Bacon was among those who spoke against the increased supply: he long repented this rare overt act of independence, and failed to expiate it by years of base servility. Elizabeth was so incensed at his speech, that all the influence of Essex and his own grovelling solicitations could not obtain him the solicitor-generalship. The queen having given a parting reprimand to the commons by the mouth of her chancellor, and having, in reference to the supplies, pronounced in person a just panegyric upon her foreign policy, dismissed this craven parliament on the 10th of April.

It may, however, be observed, in passing, that Elizabeth was more a despot in her maxims and pretensions than in her practice as a sovereign; that whilst the commons were but an engine in the hands of her coun-

cil for voting supplies, that exclusive and essential privilege, though directly invaded in some branches of revenue, and exercised without freedom in all, yet remained; and that the puritanism of the age, however its extravagance in some instances, and the frivolity of the matter of dispute in others, may be deplored or pitied, was a manifestation of political as well as religious independence.

The assistance given to Henry IV. by Elizabeth, in men and money, was the chief drain upon her exchequer: it cost her 3200*l.* a week to maintain the troops under sir John Norris in Britany; and Henry owed her 53,000*l.*, a sum not inconsiderable at the period.* That prince evaded his engagements under the treaty of 1592, as under all his former treaties with Elizabeth. Her great object was to drive the Spaniards out of Britany. Burleigh writes to sir Henry Unton, the queen's ambassador, that she had rather Paris and Rouen were never recovered than Britany should be lost.† Henry pledged himself that the dukes D'Aumont and D'Epinay should join Norris with a force equal to his own, for that purpose. The English general, after having been long left with only his own troops merely to keep the Spaniards in check, whilst Henry was employed with his main army against the league in Champagne, was at length joined by D'Epinay with so small a reinforcement that they made no serious impression upon the enemy.‡ The queen threatened once more to withdraw her troops. Henry sent over marshal d'Aumont with his excuses, and not only satisfied her in seeming, but obtained from her fresh supplies, upon his renewed and earnest promise to send immediately a sufficient force to dislodge the Spaniards from a maritime province, whence England might be invaded. She was determined, doubtless, by her policy, not deceived by the excuses of her ally.

Henry soon gave her a fresh, and, as she felt or affected to feel it, a more serious cause of offence: the French

* Rymer, xvi. 194. † Ibid. 165. ‡ Birch, Neg. p. 7.

ambassador, Morlans, communicated to her that his master was about to declare himself a Roman catholic. This prince's change of religion could scarcely have been unexpected. He announced immediately, on the death of Henry III., his willingness to be instructed, and without conforming to the religion of the great mass of the nation in a fanatical age, it was scarcely possible for him to obtain undisputed or secure possession of the throne. The delay was politic as well as decorous. His conversion, had he declared it at or soon after his accession, would have been distrusted by a great majority of a nation, animated against him by the most rancorous of all antipathies, eager for war, and confident of success against a prince who had of sovereignty only the title. But now he was at the head of an army; he had made the conquest of a considerable portion of the kingdom; the more moderate catholics began to tire of civil war; the designs of the king of Spain and the presence of his troops began to be regarded with jealousy; and the extreme faction of the league had spent much of its strength, if not its fury, in the struggle. Conviction assuredly had no share in his change of religion; he avowed, on the eve of his solemn recantation, that it was extorted from him, and only increased his aversion.* It appears equally certain, that his reluctance did not proceed from faith in the tenets of the huguenots; he once declared that there were three things inscrutable to him,—the personal courage of prince Maurice, the chastity of queen Elizabeth, and his own religion.† The odium of abandoning his friends, the shame of apostasy, supplied the place of religious scruples. Elizabeth attempted or affected to dissuade him, by a short and vehement letter of expostulation, which proves her command of the French language, and perhaps of theatrical emotion.‡ On the arrival of sir Thomas Wilkes, whom she charged as a special envoy, Henry had already heard the ar-

* In his Letter to Gabrielle d'Estrées, cited by Voltaire, Hist. Gén.
† Osborne's Mem. of Elizabeth.
‡ See the original in the notes to Hearne's edition of Camden's Annals.

guments of Roman catholic divines in support of transubstantiation, invocation of saints, confession, and the power of the pope; declared himself satisfied, and made solemn profession of his reconciliation in the church of St. Denis, on Sunday, the 25th of July, 1593. This event could scarcely have surprised or grieved a princess so politic and well informed as Elizabeth. The event proved, that Henry and she must have foreseen that it was a severe if not fatal blow to the designs of Philip upon France. She further instructed her envoy to require from Henry a place of security for her troops in Britany, and the employment of an adequate force to dislodge the Spaniards from that province; obtained from him on both points an earnest assurance, which he, as usual, failed to redeem; and concluded with him the offensive and defensive treaty of Melun.

Henry IV., it may be observed by anticipation, violated this solemn and almost sacred compact, as he had violated so many other engagements. There is not, perhaps, in the whole range of history, a prince whose virtues have been so overcharged, and whose vices have been so cloaked in the portraits of him transmitted by historians to posterity. He owed much, doubtless, to his coming in advantageous contrast to the two princes of the house of Valois, who had just preceded him, one of whom was among the most atrócious, the other among the most depraved and despicable of mankind. In the memoirs of Sully, or rather of his secretaries, in the first instance, and of the abbé l'Ecluse in the second, he is naturally extolled; and Voltaire, as an historian, in his maturer age, has employed his imagination and the ideal in painting a prince whom he had made the hero of an epic poem in his youth. Elizabeth, anxious to have some better security from Henry than his word, oath, and the obligations of treaties, sent orders to sir Henry Sidney, English governor of Flushing, one of the cautionary towns so called, to proceed to Paris. His instructions were, to recommend the protestant religion and its professors to

the continued favour of the king, and to demand from him the occupation of Brest, both to secure the payment of his debt to her, and to serve as a retreat for her troops. The interests of religion had precedence in charge of Sidney, as in that of Wilkes; but it may be safely asserted, that her temporal policy in both instances chiefly swayed the queen. Henry peremptorily refused to deliver up Brest, retorting upon Elizabeth the same arguments by which she had urged upon him the expulsion of the Spaniards.*

1594. Henry soon began to feel the advantages of his change of religion. The city of Paris received him as king of France on the 22d of March, 1593–4. The duke of Feria, Philip's representative, furnished with the humiliating protection of a safe-conduct from Henry, sought refuge in the army of the duke of Guise. The example of Paris was followed by other great towns; and several chiefs of the League came over to the king. Henry now directed his chief attention to the fortified towns of Picardy and Champagne, from their contiguity to the Spanish Netherlands, received the forced or voluntary submission of the most considerable, and at last began to think seriously of his engagements to Elizabeth. Marshal d'Aumont was sent into Britany to join Norris with an efficient force. Several towns, enlightened by the presence of D'Aumont with a large body of troops, voluntarily declared for the king. The castle of the town of Morlaix held out. A combined force of leaguers and Spaniards, under the duke of Mercœur and Juan d'Aguilar, came to its relief, but did not hazard an engagement. D'Aumont was already joined by the English under Norris. Elizabeth demanded that Morlaix, the surrender of which was in great part owing to her troops, should be delivered as the place of retreat stipulated by treaty. Her request was evaded by an artifice of the French general, who admitted as a condition among the

* Camd. Ann.

articles of capitulation, that the town should be occupied only by catholic troops.

The combined army, French and English, commanded in chief by D'Aumont, pursuing its conquests, took Quimper by capitulation, and stormed a strong fort occupied by the Spaniards at the mouth of the Garonne. The Spanish governor, Proxeda, after a brave defence, was mortally wounded; and the brave veteran English seaman, sir Martin Frobisher, who was on that station with ten ships of war, and co-operated with the besiegers, received a wound, of which he died soon after on his return to England.

Philip, upon the adverse turn of his affairs in France, resorted to arts more familiar and congenial to him than that of war. He conspired anew with the Scotch catholic lords Angus, Errol, and Huntley, and entered into an engagement to assist them with a body of Spanish troops, which, with their own adherents, should, he said, enable them to restore the catholic religion, not only in Scotland but in England. The plot was discovered whilst yet in progress; and Graham of Fintry, with some others, were tried, condemned, and executed. The three catholic lords took refuge in the north of Scotland, where they had many adherents. Elizabeth sent Lord Borough as a special envoy to impress upon James the necessity and advantages of attainting the three lords, whose estates would become forfeit to the crown. James declared that he could not proceed against them without a supply of money from her. This she peremptorily refused, from disgust at the application, or from economy; and retaliated on James, by giving shelter in England to the earl of Bothwell, descended from a natural son of James V., who had committed daring acts of treason in Scotland, —even to seizing the king's person. Ultimately the three catholic earls were attainted by the Scottish parliament, but obtained permission to leave the kingdom.

There was another art still more congenial to Philip than political intrigue; namely, secret assassination.

Roderigo Lopez, a Portuguese Jew, one of the queen's physicians, was found guilty, upon his own confession, of having been suborned, to poison her, by Fuentes, and Ibarra, members of the Spanish council at Brussels. Lopez, whilst he confessed the subornation, declared that he had no other intention than to enrich himself at the cost of the Spaniards; and adduced, in proof of his innocence, his having promised to poison her in a syrup, her unconquerable aversion to which was well known. He had also shown the queen a jewel which he had received from Ibarra.* But as he had made no disclosure until he was detected and accused, he was executed with two other Portuguese, his accomplices. His declaration on the scaffold, "that he loved the queen as he loved Jesus Christ," coming from a Jew, was received with laughter by the multitude†, and is no slight presumption of his guilt. Patrick Cullen, an Irish fencing-master, Edmund Yorke and Richard Williams, Englishmen, also bribed by Ibarra, were condemned and executed; the first as a hired assassin; the two last, not only as assassins, but as incendiaries, bribed to set fire to the fleet. The Irish fencer, according to Camden, confessed his guilt in some sort (*quodammodo*) doubtless upon the rack, and was already dead when he was executed. The two Englishmen were deserters to the enemy, which is some presumption of their crime. Elizabeth denounced to the archduke Ernest, now governor of the Netherlands, the infamous practice of his chief counsellors against her life; desired that her denunciation should be forwarded to the king of Spain; accused Christopher de Mora, a Spanish courtier of the first rank, holding the first place in Philip's confidence, as an accessory; and demanded, for the sake of public example, and of all princes, that several Jesuit and other English fugitive traitors, whom she named, then shel-

* Camd. Ann.

† Camd. Ann. "Lopezio profitente se adamare reginam perinde ac Jesum Christum, quod a Judaicæ professionis homine non sine risu exceptum."

tered by the king of Spain, should be given up to her. The queen, according to Grotius, made this demand, not with the hope of its being complied with, but to render Philip odious as the patron of assassins.* The archduke having evasively replied, and without the proper forms in addressing her, she disdained further expostulation, and retaliated by means more worthy of the English nation and of herself. Her troops continued to serve in France with a gallantry inspired by national emulation, and the memory of the victories of Cressy and Agincourt, until the end of the year (1594). The league was now broken up; and her domestic affairs required the presence of sir John Norris with the troops under his command in Ireland.

Henry complained of her having withdrawn her 1595.
troops at a moment when (20th of January, 1594-5) he had declared war against the king of Spain, and requested fresh succour. The queen replied, that he was now capable, through her aid, of defending himself; told him he should, like her, have long before waged an offensive and defensive war against the common enemy; and urged, in fine, her own occasions. The declaration of war by Henry was not a concession to Elizabeth. It was a stroke of policy to change a domestic war, civil and religious, into a foreign war, and with the natural enemy of France.† The queen was inexorable. The campaign of 1595 proved adverse to Henry. Velasco, constable of Castile, entered Franche-Comté, and threatened Burgundy; while Fuentes, who succeeded to the command of the archduke Ernest in Picardy on his death, took Catelet, Dourlens, and ultimately Cambray. He sent over M. de Lomenie, one of his secretaries of the chamber, accompanied by sir Roger Williams. The secretary was charged by him to inform Elizabeth that he had received absolution from four cardinals, sent for the purpose by the pope, who took advantage of the occasion to let him know that he might, if he chose, have a separate peace with

* Grot. Hist. lib. iii. † Davila, lib. xiv.

Spain on honourable terms, and that, unless the queen joined her troops with his, "he must provide for himself as he might."* At the same time sir Roger Williams had been told by the king that the Dutch "loved not the queen, and whoever made peace with Spain might dispose of them."† The effect of this diplomatic gasconade upon Elizabeth was such as might be expected. "These letters," says Lake, then clerk of the council, "delivered with very stout speeches, have greatly offended the queen, who careth not to be terrified. The gentleman is despatched without any hope of relief from home."‡ This is one of the many situations in which the reader cannot fail to be struck by the superiority of Elizabeth over Henry IV. Upon the departure of Lomenie she vindicated her superiority with admirable force in a long letter to her ambassador, of which the substance is given by Birch in his Negotiations.§ The letter by the queen's order was translated into French, and sent to Henry. That prince replied, that he was unable to sustain unaided the burden of the war, and if he changed his course the queen must blame herself. ||

1596. The pope and a party in his council pressed Henry to make a separate peace¶; and Philip, doubtless, would willingly come to terms not only with Henry but with the states, so as to be in a condition to employ his undivided power and resources in an expedition which he meditated for the invasion of Ireland. Elizabeth, alike disgusted and alarmed by the levity and bad faith of her ally, charged sir Henry Unton, her ambassador, to dissuade him from making peace. The progress of the Spanish arms in France conspired with the arguments of the ambassador. The archduke Albert, who hap succeeded Ernest, threw succours into La Fère, then besieged by Henry, took some smaller towns in Picardy, and invested Calais. Henry upon this sent

* Birch's Negot. p. 27.
† Sid. Papers, i. 354.
‡ Sid. Papers, i. 353.
§ Birch's Negot. p. 281.
|| Birch's Negot. p. 36.
¶ Sid. Papers, i. 378.

Harlay de Sancy to solicit succours from Elizabeth; and to give more effect to his mission, the duke of Bouillon, a protestant, soon joined him in London. The queen required that if her troops forced the Spaniards to raise the siege, Calais should be occupied by them.* Bouillon and Sancy evaded this demand by saying their instructions did not extend to it, and prevailed upon her to raise 8000 men to be sent to France. † Henry asked sir Anthony Mildmay, the queen's ambassador in the room of sir Henry Unton, lately deceased, in France, who was to command them: Mildmay answered, the earl of Essex; upon which Henry rejoined, with a disdainful smile, that "*Sa majesté ne laisserait jamais son cousin d'Essex s'éloigner de son cotillon.*" Elizabeth, informed of this expression, wrote Henry a letter of four lines, the tenour of which may be judged from his being so irritated by the perusal, when presented to him by the ambassador, as to order Mildmay out of the room, after having raised his hand as if to strike him.‡ This insult to its full extent would scarcely have been borne by an Englishman and an ambassador; but, in point of fact, the French king made frequent complaints of Mildmay, and it was in the character of Elizabeth to resent indignantly the supposition of her being governed by a favourite. The queen protracted the negotiation, in the hope of obtaining possession of Calais, or some other seaport town in France, on which her heart was set §, and just as orders were given for the embarkation of the troops, news arrived that Calais, after an inglorious resistance, had surrendered to the Spaniards. Elizabeth upon this disbanded her new raised levies, but concluded a new treaty, offensive and defensive, with Henry, and made him a further loan of money on the security of his ambassadors.|| The treaty provided that the queen should furnish 4000 men for the defence of Picardy and Normandy; that Henry should furnish the like number

* Birch, Negot. p. 45. † Ibid. Davila, lib. xiv.
‡ Birch, ii. 305. Letter of Anth. Bacon to the earl of Essex; in which, however, it is communicated only as told him by a friend.
§ Davila, lib. xiv. || Thuan. lib. cxvi. Davila, lib xv.

for the defence of England, if invaded, and that neither party should make peace without the consent of the other. Elizabeth swore to observe this treaty, in the presence of the French ambassador; and the earl of Shrewsbury, son of him who had the safe-keeping of the queen of Scots, was sent by her as a special envoy to receive the oath of Henry, and invest him with the order of the garter. It was the usage of this age that treaties between sovereigns should be sworn to by the parties, and almost the usage to observe them only so long as it was convenient or profitable. Elizabeth, probably, hoped that the order of the garter, with its chivalrous associations, would be more binding upon his honour than oaths had been upon his conscience. It was agreed in a secret article that the queen should furnish 2000 men only the first year; and sir Thomas Baskerville soon landed with that force in France. The English auxiliaries continued to behave with conspicuous gallantry, and contributed not a little to the successes of Henry, both in the capture of strong places and in the field.

The queen at the same period had a transient difference with the states, her allies. Upon the taking of Cambray, they assisted the king of France with men and money. Elizabeth, by the advice of Burleigh *, instructed her ambassador, sir Thomas Bodley, the illustrious founder of the Bodleian library, to require that the states, now that they had the ability to become lenders, should repay her loans. The states, pleading the existing agreement, which made the payment dependent on the conclusion of peace, declared that the supply to Henry was a measure of direct self-defence, designed to effect a diversion of the Spanish forces in Flanders, which would otherwise be employed against themselves; urged their own weakness compared with the Spaniards, and their certain ruin without the continued indulgence and assistance of the queen; and, finally, after much discussion, and earnest solicitations, came to an agreement with her to pay henceforth the English auxiliaries,

* Camd. Ann.

reimburse her 20,000*l.* a year of their debt, assist her with a certain number of ships, if required, and not make peace without her consent. Grotius ascribes the queen's demand of payment from the states, on the ground of their having aided Henry, to the ancient English jealousy of France, revived by the gleams of prosperity in the affairs of that prince.*

It is more likely that Elizabeth was jealous of the growing prosperity of the states themselves. The United Provinces had been engaged, for nearly thirty years, in an unremitting struggle to throw off the yoke of a relentless tyrant, the most powerful monarch of his time. They suffered, during this long and fearful struggle, every extremity of a war of battles and sieges within their territory—bloodshed, devastation, famine, and disease. In spite of all, those provinces had grown from a state of poverty and weakness into a commercial and maritime power, and Amsterdam, from a miserable community of fishermen, whose only art was the curing of herrings, had already become the seat of manufactures and an emporium of trade. Such are the paramount irrepressible benefits which result to a people from national independence, civil liberty, and religious toleration. The Calvinist Hollanders tolerated popery in the catholic provinces: French huguenots, German anabaptists, English puritans found, in the new republic, an asylum from domestic persecution, and fled thither with their skill and industry in the useful arts.† The desire of Elizabeth to thwart and weaken Philip, who already threatened her with another armada‡, prevailed over her jealousy; and the English auxiliaries, led by sir Robert Sidney and sir Francis Vere, distinguished themselves in the Low Countries as in France.

The naval power and enterprise of England had, at

* "Henrici res secundæ pro brevi miseratione veterem gentis invidiam reposuerant."—*Hist.* lib. iii.

† "They did not only draw much of our coin thither (to Amsterdam), but our manufactures of weaving, dyeing, fulling, spinning, dressing of cloth, &c."—*Osborne, Mem. of Eliz.* p. 392.

‡ Grot. *Hist.* lib. iii. "Æquiorem socii reginam fecere novi hostium conatus."

the same time, been employed against the king of Spain. Not a season passed without some attempt upon his possessions or his treasure, by English adventurers in the American seas. In 1594, Richard Hawkins, son of the more famous seaman of that name, sailed, with the queen's commission, eight ships, and 2000 men, towards the Straits of Magellan; took a Portuguese ship off the river La Plata, in his way; lost two of his ships, one by an accidental fire, the other by separation; entered the South Sea with only one ship, and, after a running fight of two days with a Spanish squadron, surrendered upon terms, and was sent a prisoner to Spain. James Lancaster cruised with better fortune off the coast of Brazil. He took thirty-nine Spanish ships, and the town of Pernambuco. The latter exploit deserves more particular mention. He saw the shore, as he approached, lined with the enemy; manned his boats with his best men, ordered them to run the boats on shore so as to split them,—thus cutting off every resource but that of victory; and put the enemy to flight in a panic terror. In the following year, sir Walter Raleigh, just released from prison, to which he had been committed for debauching one of the queen's maids of honour *, and still forbidden the court, undertook, at his own cost, an expedition to the unexplored country of Guiana, supposed to contain mines more rich than those of Mexico and Peru, took San Joseph, in Trinidad, sailed with his pinnaces and 100 men up the Orinoco, after a fruitless passage of 400 miles, in which he suffered from a burning sun and heavy rains, was forced to return, and gave the world a fabulous account of the country and his adventures. A more formidable expedition, consisting of twenty-six ships, of which twenty were equipped by private adventurers, the remaining six by the queen, with a proportionate military force, the former commanded by the famous admirals Drake and Hawkins, the latter by sir Thomas Baskerville, was sent out against Porto Rico.

* She was daughter of Sir Nicholas Throgmorton. *Both* were sent to the Tower. He made her reparation by marriage.

They arrived in September at the Canaries, failed to take the chief island, made slow sail to St. Domingo, and lost a pinnace to the Spaniards. This loss, trifling in itself, proved fatal. The Spaniards discovered, by torture, from the master, the design upon Porto Rico; and that island, with the treasure lodged there, was placed in such a state of defence that the English were repulsed. Among their losses was that of Hawkins, who died before Porto Rico. Drake now took and plundered Rio de la Hacha, Santa Martha, and Nombre de Dios, on the continent; attempted to cross the isthmus to Panama, found the passes guarded, and was harassed by continual skirmishing from the woods; returned to Nombre de Dios, and died there of fatigue, disappointment, and the climate. Sir Thomas Baskerville took charge of the fleet, steered homeward, had an encounter with a Spanish squadron at Cuba, and, after eight months' absence, arrived in England, without either booty or renown.*

This unfortunate failure in the new world was soon redeemed in Europe. The naval arsenals of Philip echoed once more with the preparation of a great armada for the invasion of England. It was resolved in Elizabeth's military council † to attack the enemy in his own ports, instead of waiting to combat him in the British seas. A fleet of seventeen men of war, of the first class, with 153 smaller vessels of various kinds, having on board 6360 soldiers, 1000 volunteers, and 6772 seamen, was equipped at Plymouth. To these was added, by the states-general, a squadron of twenty-five men of war, under the command of Warmond, a brave and skilful seaman, second in command of the Dutch navy to prince Maurice. Essex was charged with the command in chief of the military, and lord Howard of Effingham, the high admiral, with that of the naval forces, —both subject to a council of war composed of lord Thomas Howard, sir Walter Raleigh, sir Francis Vere,

* Monson's Naval Tracts.
† Sir W. Raleigh's discourse on a marriage with Savoy.

sir George Carew, and sir Conyers Clifford.* On the 1st of June, the fleet weighed anchor with a fair wind, and reached Cape St. Vincent, the general rendezvous. Here the commanders-in-chief opened their sealed orders, which bore in substance that, having attacked and destroyed the enemy's ships and provisions in the Spanish ports, they should intercept the Spanish galleons, "if they received intelligence of their coming from the Indies." From an Irish vessel, which had just left Cadiz, they learned that a vast fleet, partly merchantmen richly laden, partly men of war and transports, lay in Cadiz bay, in a state of unsuspecting security, whilst the city itself was but feebly garrisoned. On Sunday morning, the 20th of June, the Spaniards beheld with astonishment an English fleet anchored off the western side of the island. Essex would have made a landing, but was defeated by a strong wind from the shore. He then proposed an attack upon the Spanish fleet,—men of war, galleons, and merchantmen,—which thronged the bay. The lord admiral thought it expedient that the town should first be taken, as its batteries might otherwise play destructively upon the fleet during the attack. The rejection of the advice of Essex was unfortunate, and a favourable opportunity lost.† The council of officers, however, on the night of that day, resolved that the Spanish fleet should be attacked next morning. Essex was so delighted with this resolution, that, in his ecstasy, he threw his cap into the air.‡ He was, however, not a little mortified on finding that, by the queen's secret orders, in her anxiety for his life, he should not lead the attack. It was confided to lord Thomas Howard and sir Walter Raleigh. Essex, overstepping at once his promise to the admiral and the queen's orders, rushed forward into the hottest fire. The battle continued from break of day until noon, when the Spaniards, favoured by the tide, retired farther up the bay with such pre-

* Camd. Ann.
† "Res delata occasio amissa."—*Grot. Hist.* lib. v.
‡ Camd. Ann.

cipitation that they ran several of their ships aground. Some of the galleons were lifted, over the bridge of the Isla, by machinery.* Essex having carried the fort of Puntal, landed all the troops, broke down the bridge by which the Isla was joined to the main land, attacked and carried the town sword in hand, displayed his humanity in the treatment of his prisoners, after he had used every effort to prevent slaughter, plunder, and military outrage; and granted, next day, a capitulation to the garrison and richer inhabitants, who had retired into the citadel. His generosity, his courtesy, his protection of the religious communities, his fearless courage—shown not only in battle but after it, by conversing alone and unarmed with several Spaniards,—were spoken of with just admiration at Cadiz, and even by Philip and the infanta at the Spanish court.† His confidence in the Spaniards was a just as well as gallant compliment to a nation always capable of appreciating a trait of generosity. Meanwhile the fleet of merchantmen seemed forgotten. Essex gave orders to attack it. Raleigh contended that the honour belonged of right to the seamen. Pending this dispute, an offer of ransom came from the owners; and when the negotiation, after three days' delay, was just concluded, the fleet was seen in a blaze. The duke of Medina-Sidonia, governor of Cadiz and admiral of the Spanish fleet, caused a considerable portion of the goods on board to be carried ashore, and set the fleet on fire, to prevent its falling into the hands of the English.

The loss of the Spaniards was estimated at 20,000,000 ducats; and the English officers, soldiers, and seamen, were enormously enriched. Essex insisted eagerly upon retaining Cadiz, as a perpetual thorn in the side of Spain. He offered to maintain himself there with only 400 men, for three months, within which he might receive succour from England.‡ The officers, eager to

* Grot. Hist. lib. v.

† Birch's Mem. ii. p. 125. "Tal hidalgo," says Philip, "non sia visto entre herejes."

‡ Camd. Ann.

secure and enjoy their booty at home, objected on the ground of want of provisions; and the high admiral, from the prudence of age, the fear of exercising a discretion contrary to the queen's express orders, or jealousy of Essex, was opposed to him. The weakness of Philip, notwithstanding his supposed power, was urged by Essex as the great reason for keeping permanent possession of Cadiz. His judgment is more than borne out by, perhaps, the most informed and sagacious politician of that age. Cardinal d'Ossat, in one of his letters, says, that the English might not only have maintained Cadiz, but taken Seville, which, as well as the whole province of Andalusia, was panic-struck and defenceless; that the Moors of Grenada were prepared for insurrection; that Aragon and Catalonia were discontented; that Portugal abhorred the Spanish yoke; and thus the Spanish monarchy, even in the Peninsula, if vigorously assailed, might be broken up. Such views were incompatible with the characteristic prudence of Elizabeth; they exceeded, perhaps, the compass both of her ambition and her genius.* It was even rumoured through Europe,—so strong were the probabilities,—that the English, following up their victory, had taken Ceuta and Tangier, Malaga, Carthagena, and Alicant; that the kingdom of Valencia, with 200,000 Morisco families, was at their devotion; and Aragon and Portugal ready to take arms against Philip.†

The English, after a fortnight's occupation of Cadiz, abandoned their conquest on the 5th of July. No event, except the capture of Cadiz, during the reign of Philip, impaired his reputation with the Spaniards. The posts at the corners of streets in Toledo were found covered every morning with pasquinades on the king

* Carte says (vol. iii. b. xix.) that Elizabeth was so unaccountably cautious in her foreign policy, as to issue a declaration preliminary to the attack upon Cadiz, bearing the names of Essex and the lord admiral only—she not having yet declared war against Philip. This, surely, must be a mistaken inference. She could have no reserve with Philip, in the heat of a war of mutual invasion *ad internecionem*; and the declaration, though bearing the signatures of the two commanders-in-chief, expressly sets forth the queen's authority.

† Letter of Dr. Hawkins from Venice, in Birch's Mem. ii. p. 112.

and his council. He avenged his mortification by disgracing some of his chief ministers.* Essex, on arriving off Cape St. Vincent, moved his reluctant companions to another enterprise. He proposed to send home the unserviceable or unprovided ships, and with the rest to proceed to the Azores, for the purpose of intercepting the Spanish fleet in its way home, laden with the treasures of the new world. This proposal, too, was overruled, on the ground of want of provisions, which was most probably a pretence. He beat up for volunteers, and was joined only by the ships of lord Thomas Howard and sir Francis Vere, a force wholly inadequate. Essex loitered on the Spanish coast with a few ships, while the rest of the English fleet steered homewards, and arrived in England, after an absence of only two months. The Dutch admiral had the generosity not to abandon him †: it seems doubtful whether he remained behind from a desire of further enterprise, or the slow sailing of his ship. On his return he complained bitterly to the queen of the opposition to his designs, and the want of resolution manifested by his companions in the expedition. His disappointments and disgusts at court, were still more poignant than those which he had experienced during the expedition. Sir Robert Cecil, son of Burleigh, was appointed by Elizabeth secretary of state, in preference to sir Thomas Bodley, for whom he had solicited; a narrative of the taking of Cadiz, which he had sent over for circulation, was suppressed by the council, through the treachery of sir Anthony Ashley, whom he had charged with it ‡; and the high admiral was created earl of Nottingham, with an express recital in his patent, that the title was conferred on him as a reward for having taken Cadiz. Essex maintained that the honour of that conquest belonged to him, and offered in his rage to maintain his right by single combat with the admiral or his sons.§

* Birch's Mem. ii. 110.
† Grot. Hist. lib. v.
‡ Birch, ii. 95.
§ See Sidney Papers, ii. 77.

In the latter case he appears to have suffered flagrant injustice, and it was admitted after some time by Elizabeth.* The chief merit of that achievement was assuredly his; and, had his advice been taken, it would have been more brilliant. But it was the policy of Elizabeth to play the interests, jealousies, and aversions of the members of her council one against another; and it was her practice to consult her gross self-indulgence† in unrestrained and coarse freedoms with her favourites, or, as they were called, her minions, whilst she kept them mindful of their distance and dependence, by making them feel alternately the caprices of her fondness and her power. Essex had another cause of discontent on his return, in common with the rest of the commanders of the fleet. The queen claimed the prizes for her exchequer. The earl remonstrated, chiefly upon the application of his companions‡, but without success; and declared himself, in a letter to Bacon, "as much distasted with the glorious greatness of a favourite, as he had been before with the supposed happiness of a courtier." § Burleigh sided with him from a sense of justice, or the fear of disobliging the favourite, and was violently rebuked by the queen with the names of "miscreant and coward." ‖ Such was her jealous dread of being looked upon as governed by a favourite. Essex had, for his share of the booty in the sacking of Cadiz, a collection of books which once belonged to the learned Jerome Osorius, and added them to the Bodleian library, recently founded by his friend. ¶

The favour and fortune of Essex were put to frequent trials. The impetuosity and frankness of his temper, and the lustre of his reputation, laid him open to the malice of his enemies and the despotic jealousy of the queen. Father Parsons dedicated to him his famous "Conference about the Succession," published in 1594; — an ingenious and able performance, but a most cu-

* Sid. Lett. i. 77. † See Osborne's Mem. of Elizabeth.
‡ Birch, ii. 115. Letter of Lady Howard.
§ Birch, Mem ii. 116. ‖ Ibid. 146.
¶ Wood's Ath. Ox. b. ii.

rious one from a Jesuit. It supplied principles and arguments to the English republicans of the commonwealth, and to Bradshaw the materials of his regicide speech. * Elizabeth showed Essex the book, pointed out to him his eulogy in the dedication, and sent him away wan and pale †: he, however, almost immediately regained his ascendant. ‡

Essex even improved his place in the good graces 1597.
of the queen: his complaints were listened to; she expressed her vehement displeasure at the refusal to proceed to the Azores, when it proved that the Spanish fleet arrived in time to be intercepted by the English; appointed him to the sole command, naval and military, of a second expedition fitted out against Philip; created him earl marshal of England, which gave him precedence over Nottingham.

This new armament, still stronger than the former, consisted of 17 first-rates, and 43 lesser ships of war, with 60 small craft of various kinds, having on board 5000 soldiers, to which the states-general added 20 ships of war under the command of admiral Warmond; and, at the queen's request, by way of special favour §, 1000 English veteran auxiliaries in their pay and service, under the command of sir Francis Vere.

Essex sailed from Plymouth on the 10th of July, with a fair wind and the most devoted resolution. The fleet was partitioned into three squadrons, respectively commanded by himself, lord Thomas Howard, vice admiral, and sir Walter Raleigh. Lord Mountjoy, sir Francis Vere, sir Christopher Blount, and sir George Carew, distinguished military officers, served under him in command of the land forces; and lords Rutland, Southampton, Cromwell, Grey, and Rich, with many other persons of rank, went out as volunteers. The queen's instructions were nearly the same as in the last expedition, — to destroy the naval forces and stores of

* See Bliss's edition of Athen. Oxon, art. "Persons or Parsons." Carte says, on the authority of Anthony Wood, that the possession of this book was made high treason.

† Sid. Lett. i. 357. ‡ Ibid. 360. § Grot. Hist. lib. vi.

the enemy in his ports, more especially in the Gallician, under the Spanish admiral Padilla, destined for the invasion of Ireland, and intercept the Spanish fleet at the Azores, where it invariably took in provisions on its way home from the Indies. Essex declared that he would destroy the armament of Padilla, or perish in the attempt.* On the second day of his voyage he encountered a storm, which, raging for four days, dispersed and damaged the fleet. He rendezvoused and refitted at Falmouth; put to sea once more on the 17th of August; encountered a second storm, and, finding himself obliged to abandon the attack upon the fleet of Padilla, sailed for the Azores. Essex appointed, for the rendezvous of the fleet, Fayal, which he proposed to attack. The squadrons were separated; and Raleigh, who first arrived, attacked and took Fayal, without waiting the presence or the orders of the commander-in-chief. Essex, enraged to find this conquest snatched from him, placed several officers under arrest, and said, that if he did not bring Raleigh to a court martial, it was because they were not friends. This difference was settled by Raleigh's submission and the good offices of lord Thomas Howard; but it has been regarded as the source of the deadly strife which prevailed between those rivals in every walk of ambition,—who, however, had nothing in common but ambition, courage, talents, and accomplishments. Raleigh, alike unscrupulous and adventurous, was suspected of having designedly separated himself from the fleet †, and accused of having snatched from a Dutch ship a Spanish prize which she had run down.‡ Essex passed from Fayal to anchor at Graciosa. The harbour was represented as unsafe anchorage by his pilot; and, having assigned their stations to the various commanders on the look-out for the enemy, he took his own at St. Michael's. He was not two hours gone, when the Spanish treasure fleet arrived at the station which he had left,

* Camd. Ann.

† "Alia parte vagatur Raleius imperii minus patiens."—*Grot. Hist.* lib. vi.

‡ Grot. Hist. ibid.

now occupied by sir W. Monson. That admiral, having only four ships, merely fired his guns to bring the nearest ships to his aid; and the enemy's fleet, with its treasure, secured itself under the batteries and castle of Angra. Essex, having taken Villa Franca, and passed six days there to refresh the men and refit the ships for his voyage home, reached England on the 23d of October with a few prizes, which covered the expences of the expedition.*

The armament of Philip for the invasion of Ireland was still more unfortunate than the queen's expedition to the Azores. Padilla sailed from Lisbon with a numerous fleet, having on board 8000 soldiers, with a supply of arms and various implements of war; encountered, like Essex, two storms; and was forced to abandon his enterprise, with the loss of his reputation and his command. But the chief sufferers were Tyrone and the unfortunate Irish, who broke out into premature rebellion, in the confidence of Spanish aid.

The mission of Paul Dzrolinski, from Sigismund, king of Poland, to the queen, this year, merits notice, less for its importance than its singularity. Paul, after kissing the queen's hand, retired with his back turned, to the horror of the courtiers; then faced the throne, and, in a Latin harangue, full of pride and menace, demanded free commerce with Spain for his master. Elizabeth, on the instant, and in Latin, rebuked the ambassador with so much spirit, that Paul was glad to excuse himself by stating that the harangue was written for him by the chancellor of Sweden. Elizabeth was so satisfied with her speech, that, turning round after she had done, she said to the courtiers, "God's death, my lords, I have been enforced this day to scour up my old Latin;" and desired Cecil to write to Essex, then at Plymouth with the fleet, an account of the scene.†

* Monson, in his Memoirs, has imputed the escape of the Spanish fleet to the inexperience and bad seamanship of Essex. But that admiral's reputation was compromised. It may be safely assumed that Essex, in his place, would have engaged the Spaniards, and perhaps kept them in play until a reinforcement came up.

† See Cecil's Letter in Ellis's Orig. Lett. iii. 41.

This mission was encouraged underhand, not only by the court of Sweden*, the Prussian states, and the Hanse towns, but by the emperor. The queen's naval power kept the former in awe; and that politic princess controlled Poland and the empire by her alliance with the Turks.

CHAP. II.

1597—1601.

MEETING OF PARLIAMENT. — CURIOUS SPEAKER'S SPEECH. — EGERTON. — SUPPLIES. — PEACE OF VERVINS. — CHARACTER OF HENRY IV. — DISGRACE OF ESSEX. — DEATH AND CHARACTER OF WILLIAM CECIL LORD BURLEIGH. — OF PHILIP II. — CURIOUS CHARGE OF POISONING THE QUEEN AND EARL OF ESSEX. — SQUIRES. — WALPOLE. — ESSEX APPOINTED LORD DEPUTY OF IRELAND. — AFFAIRS OF IRELAND. — SIR JOHN PERRAT. — O'NEAL. — TYRONE. — MILITARY OPERATIONS OF ESSEX. — HIS INTERVIEW WITH TYRONE. — HIS UNEXPECTED RETURN TO COURT. — HIS RECEPTION AND CONFINEMENT. — THE QUEEN'S RESENTMENT. — FOREIGN AFFAIRS. — MOUNTJOY APPOINTED LORD DEPUTY. — HAYWARD'S DEDICATION TO ESSEX. — BACON'S WIT. — PROCEEDINGS AGAINST ESSEX. — SIR EDWARD COKE. — EXAMINATION OF ESSEX BY PRIVY COUNCILLORS. — RELEASE OF ESSEX. — HIS RESENTMENT. — CONSPIRACY AND INSURRECTION. — FIRMNESS OF THE QUEEN. — ESSEX'S DEFEAT, TRIAL, CONFESSION, EXECUTION, AND CHARACTER. — FATE OF HIS ACCOMPLICES.

1597. THE exhaustion of the queen's exchequer obliged her to summon a parliament on the 24th of October, 1597. The commons elected for their speaker Yelverton, a lawyer, who modestly requested to be excused. His request was a matter of usage and mere form; but some of his reasons were curious and novel:—

"Nor from my ability," says he, "doth this your choice proceed; for well known it is to a great number in this place now assembled that my estate is nothing correspond-

* Sigismund was king of Poland, by election, since 1587, and succeeded his father as king of Sweden in 1594 The throne of Sweden, from which he was deposed in 1604, was soon after filled by Gustavus Adolphus.

ent for the maintenance of this dignity; for my father, dying, left me a younger brother, and nothing to me but my bare annuity. Then, growing to man's estate, and some small practice of the law, I took a wife, by whom I have had many children, the keeping of us all being a great impoverishment to my estate, and the daily living of us all nothing but my daily industry. Neither from my person nor nature doth this choice arise; for he that supplieth this place ought to be a man big and comely, stately and well-spoken; his voice great, his courage majestical, his nature haughty, and his purse plentiful and heavy: but, contrarily, the stature of my body is small, myself not so well spoken, my voice low, my carriage lawyer-like, and, of the common fashion, my nature soft and bashful; my purse thin, light, and never yet plentiful." *

Sir Thomas Egerton, who succeeded Puckering as lord keeper, and was more worthy of his trust, stated the purpose for which the parliament was called. The duty, he said, of guarding the queen's dominions and life against the malice of "the pope, the devil, and the Spanish tyrant," and the expenses incurred by her in France, in the Netherlands, and in Ireland, obliged her majesty most reluctantly to demand supplies. The commons, without a dissentient voice †, voted three subsidies and six fifteenths and tenths, but desired that this vote might not become a precedent. The same reservation, made on other occasions, was so little attended to as to become an idle form. Such was the good temper in which Elizabeth met the commons, that it was not ruffled by their touching upon the topic of monopolies. She begged her faithful and loving subjects not to take away her prerogative, "the chiefest flower in her garden and head-pearl in her diadem, but rather leave that to her disposition." The clergy in convocation voted a sub-

* Parl. Hist. i. 898. His idea of the qualifications for a speaker of the House of Commons, however whimsically expressed, are far from ridiculous, and may merit the notice even of a reformed parliament.

† Ibid. Speech of speaker — "Granted without a thought of a *no*; sure I am without the word of a *no*."

sidy of four shillings in the pound, and passed several acts or constitutions for the reform of abuses in the church, — more especially relating to the admission of fit persons to orders, the fees of ecclesiastical courts and pluralities.* The passing of these reforms — for there is no trace of their execution — was forced upon the convocation by the boldness with which ecclesiastical abuses were exposed by the puritans, the fear of another denunciation like that of Morrice in the house of commons, and Elizabeth's known reluctance to execute against mere nonconformists in religion, whether puritan or papist, the sanguinary statute of the 23d of her reign. She regretted the execution of Barrow, Greenwood, and Penry, upon being informed of their political loyalty; and Cartwright and several more were rescued from archbishop Whitgift and the scaffold.† Two other acts were passed in this parliament, which might claim more than the passing mention which they can receive in the compass of these pages: one was an act "against enclosures and depopulation of towns and houses of husbandry and tillage." "I should be sorry," said Bacon, the author of the measure, "to see within this kingdom that piece of Ovid's verse prove true, "*Jam seges ubi Troja fuit.*" The other was an act for the relief of the poor and building of workhouses — the first parent of the numerous progeny of the poor laws. On the 9th of February, the queen in person, as it was her custom, dissolved the parliament.‡

1598. Henry IV. was bound by treaty to Elizabeth and the states-general not to negotiate a peace with the king of Spain without their concurrence. He yet, from the commencement of 1597, was negotiating separately and secretly with Philip, under the mediation of the pope§,

* Rymer, xvi. 329. † See Neal's Hist. of the Par.

‡ Osborn, and after him other historians, have said that Elizabeth never refused the royal assent. It appears from the Parliamentary History, that she refused it to forty-eight bills which passed both houses in this parliament. This, however, proves little or nothing The queen did not take the trouble to oppose or take cognizance of any bills but the most important, until they came to the stage of her assent, because her withholding the royal assent was a common occurrence. See Journals.

§ Birch, Neg. 49.

and, at the same time, had the further meanness to demand from Elizabeth, under the treaty which he was violating, succours for the recovery of Amiens, taken by the Spaniards. The capture of that town slackened, if it did not wholly suspend, the negotiations which, on its recovery by the French, at the close of September, 1597, were resumed.* Henry now informed the queen and the states that favourable terms of peace with Spain were proposed to him by the pope's nuncio, and invited them to join him in negotiating a general peace. Vervins, on the confines of Picardy and Artois, was appointed as the place at which the conference should be held. Elizabeth sent secretary Cecil, Herbert, master of requests, and sir Thomas Wilkes; the states sent Justin Nassau and the famous Barneveldt as their respective commissioners,—ostensibly to join in the conferences,—really to dissuade Henry from making peace. The states sent ambassadors at the same time to sound Elizabeth, who professed pacific inclination. That politic and fearless princess was not so inclined: she saw that this was the time to press an enemy whose hostility appeared but the more inveterate with the decline of his resources and his life. Philip II. desired peace with France, and even attempted to inveigle the states-general into a secret negotiation, in order to bring the undivided force of his empire against Elizabeth. The English commissioners had, of course, no thought of peace. Henry and his secretary Villeroy complained of their evasions. "I hope," says Villeroy, speaking of Cecil, "we shall in time make him speak out, if there be any bringing an Englishman to that."† The commissioners had soon convincing proof of the perfidy of Henry. Elizabeth despatched to them a letter from the archduke Albert to the king of Spain, informing him that the king of France was prepared to make peace without any regard to his allies.‡ The letter was thrown into the sea§, and picked up by English fisher-

* Birch, Neg. 51.
† Mém. de Bellièvre, &c.
‡ Birch, Neg. 140.
§ Mém. de Bell.

men, who conveyed it to the queen.* Cecil, by the queen's orders, demanded an audience. Henry made the excuse of illness, but, being pressed by Cecil, received him in bed. Cecil reported to the queen, in French, as he spoke it, the opening of his address, demanding, in the queen's name, with a spirit worthy of her, a disavowal or explanation of "this scandal." Henry interrupted him occasionally with the exclamation, "*Ah! cela est faict en Angleterre: la royne ne me trouvera pour tel,*" then "rapped out an oath," and finally declared the intercepted letter a fabrication by his enemies in England or Holland.† The English commissioners, disgusted with the treachery of the king's conduct and the falsehood of his denial, took their leave on the 15th of April, after having been detained some time against their will by the artifices of the French court‡; and the peace of Vervins, between France and Spain, was signed on the following 2d of May.

Henry IV. justified his deserting his allies to conclude a separate peace, in violation of the faith of treaties, by the paramount duty of relieving his people from the miseries of war. To this duty, he said, in a tone of gasconade, he sacrificed his own inclination for war, which he loved beyond all things. This justification has been received by historians; yet there is strong reason to suppose that he was governed no less by the love of ease and pleasure. Edmonds, the queen's agent at his court, speaks of the "great disorder and confusion by reason of the king's loose living."§ He passed whole days in Sybarite indolence and seclusion with his mistress, Gabrielle d'Estrées, who used all her arts to promote peace, in order to have him more constantly and completely within her toils.‖

Philip II., after having spent many millions in fo-

* Birch remarks as strange, that this intercepted letter is not mentioned by Camden. It is still more strange that it should not be noticed by Hume, who frequently cites Birch's Negotiations. That great historian reverenced truth beyond most men, yet it is hard to resist the surmise that he glided over this blot in the scutcheon of Henry, from what Mr. Fox calls "his childish admiration of kings," and of that prince in part cular.

† Birch, 141, &c.

‡ Mém. de Bellièvre, &c.

§ Birch, Neg. 48.

‖ Grot. Hist. lib. 5.

menting and aiding the faction of the league in France, gave up all his French conquests, including Calais, his occupation of which was no less alarming to Elizabeth than to Henry, and found himself placed by the peace of Vervins in the same state as under the treaty of Câteau-Cambresis.

It is observed by Hume, that the queen's commissioners, seeing the necessities of Henry's situation, were less vehement in their remonstrances. That great historian is not borne out by their despatches* ; and Elizabeth, on their return, resented and rebuked the conduct of her ally. "If," said she, "there be in temporals a sin against the Holy Ghost, it is ingratitude."† De Messe, who had been on a mission to Elizabeth relating to this negotiation, declined a second mission, four years after, from his dread of her resentment.‡

Six months were allowed for Elizabeth and the states to accede to the treaty of Vervins. She affected still a disposition to make peace, and even advised the states to return under the dominion of Philip, as duke of Burgundy, upon due security for the observance of their ancient laws and privileges. The states, alarmed for their existence, and well knowing, as Barneveldt said, that "to acknowledge him sovereign, whether as king or duke, was the way to their perdition,—for monarchs might bind and loose as they saw cause,"—sent once more a deputation to Elizabeth. The object of that princess was to enter into a new and more favourable treaty with the states for the repayment of her loans, and for assistance if her dominions should be invaded. It was accordingly negotiated by sir Thomas Bodley, at the Hague.§ The queen's council, however, was divided. Burleigh, now old and near his death, advised peace with Spain: Essex opposed him with vehemence. The treasurer, in the heat of discussion, rejoined in the words of the psalmist, "the bloodthirsty man shall not live half his days." Elizabeth seemed to waver

* See Birch, Neg. and Winwood's Memorials. † Camd. Ann.
‡ Win. Mem. i. 347
§ See his account of it in App. to Hearne's Camd. iii.

between the minister and the favourite. Essex, irritated by opposition on this and other subjects, in a moment of impatience at her disregarding his recommendation of sir George Carew in preference to sir William Knollys for a military command in Ireland, turned his back upon Elizabeth; and the daughter of Henry VIII. gave him a box on the ear.* The lord admiral and sir Robert Cecil, rivals of Essex at court, and therefore his enemies, and Windebank, clerk of the signet, were present. The furious earl, placing his hand upon the hilt of his sword, swore that he would not have taken that blow from her father, and rushed out of the council chamber. So stung was he by this insult, that no advice or entreaty of his friends to make the slightest submission could prevail with him. He felt the blow as given, not so much by a woman as by a sovereign. "If," said he in a letter to the chancellor Egerton, "the vilest of all indignities is done me, does religion enforce me to sue for pardon? . . . Cannot princes err? Cannot subjects receive wrong? Let Solomon's fool laugh when he is stricken," &c.† The pretensions of Essex were exorbitant; he would centre all power within himself: yet was there in him nothing of mean or envious jealousy. He could not bear equality with those to whom he knew himself superior in all the nobler qualities; and he would monopolise the queen's favour, to be better able to serve persons of merit and his friends.

Lord Burleigh died during this disgrace of Essex. The government of Elizabeth was more influenced by Burleigh than by any other minister. There was a certain unison between him and his mistress, from his having been her adviser from her accession to his death, and

* Knollys was Essex's uncle, and Carew a creature of the Cecils. The object of Essex was to remove Carew, who was one of Elizabeth's grossest flatterers upon her beauty (see in Hib. Pac.) when she was 69. See Nugæ Ant. i. 179.

† See Birch's Mem. ii. and the Cabala, for this admirable letter. Louis XIV. in a similar situation, threw his cane out of the window. He remembered that he was a gentleman as well as a king: Elizabeth forgot both her dignity and sex.

from a conformity of character. He was deeply imbued, as a politician, with the maxims of the sixteenth century: he employed falsehood and cruelty, not as indulgences of passion—whether his sovereign's or his own—but as instruments of policy and gain; always controlled by his prudence, and never carried beyond the exigencies of the case. By a revolting union of capacities in his person, he advised as a minister, demanded as a public accuser, and voted as a judge the death of the queen of Scots; not because he hated her, or sought to indulge the hatred of Elizabeth, but to remove an unit of human life which threatened problematical danger to Elizabeth and the established religion. He counselled the tampering of Elizabeth with the gaolers of the queen of Scots, not from being by choice a poisoner of the Borgia school, but to save his mistress and his country from the odium of a public atrocity, where the death of the victim was decided, and poison was less cruel than a public trial and the scaffold.* He countenanced persecution both of papists and puritans, but within the range of vindication by a sophism. The offenders, he said, were punished, not for their religious opinions, but for offences against the state. The state sophist had previously made theological tenets state crimes. He put state culprits to the rack, and vindicated himself to the world by proclaiming that they were *tortured mildly*. England has since produced or adopted one minister who associated those terms, and made the same defence. Burleigh was informed, prudent, circumspect rather than sagacious, moderate, above all, diligent; devoted to the service and interests of his mistress, whom he too implicitly identified with his country; but he was not endowed with a genius or capacity of the first or even of a high order. His diary (in Murdin) and his minute acquaintance with genealogies are signs of a small mind intent on small objects. If, as it has been said, he took notes of

* Elizabeth, according to Osborne, was blamed for despatching Mary by the hands of the executioner, when she might have employed a physician. Thus Machiavelism, so called, had made its way into England, and found other disciples besides Burleigh and the queen.

the estates and pedigrees of the English nobility, in order to let them know that his eye was upon them, this would only prove him no unfit minister in the court of Nero or Caligula. He wanted facility and elegance, both as a writer and speaker. His few speeches, his more numerous state papers, his pamphlets and letters, are more than commonly distinguished by the forced diction, conceits, and pedantries of his time. He had no ambition of foreign conquest or military glory. He contented himself with embroiling the queen's enemies (or her single enemy) abroad with their neighbours or their subjects, and supporting the latter indirectly without becoming a principal in the war. The government of Elizabeth may be said to reflect the image of this famous minister's political character. Though familiar with the court from his youth, for he served Mary as well as Elizabeth, his manners were unengaging, and he indulged unwarrantably in rude expressions. There was a coarse frankness in his language even to foreign ambassadors. Birch relates, at some length, his sarcastic rudeness to Fouquerolles the French ambassador, and the sleepless night of the enraged Frenchman.* He left to his family the most splendid fortune made in his time, but without the reputation of corruption or rapacity. His character was implicated in one questionable transaction; and a letter in a recent publication † shows how unceremoniously he might be approached by a solicitor for court favour with the offer of a bribe.‡ He was succeeded in his title by his son Thomas; in his influence as minister by his second and favourite son Robert, already secretary of state, diminutive and deformed, and combining all the arts and accomplishments of a court politician with the malice of the dwarf character §; in his office of treasurer by Sackville, lord Buckhurst. Elizabeth, upon hearing of his death, shed tears. It was yet supposed that she was

* Mem. ii. 328, 329.

† Second Art. Lec.

‡ Ellis's Orig. Lett. iii. 157. n. s.

§ He was known among the French by the name of Le Petit Bossu. The well-known Antonio Percy, in his Latin letters to Essex, called him *Robertus Diabolus.*

impatient of the growing moroseness of his temper. "I doubt not," says sir W. Knowles, "that she in her wisdom will cast this behind her as she hath many others before this time of like nature." He died on the 4th of August, in the 77th year of his age.

The death of Elizabeth's chief minister was soon followed by that of her arch-enemy. The last act of Philip was to settle the Netherlands as a dowry upon his daughter Isabel Eugenia, betrothed to the cardinal archduke Albert, who returned to the pope the hat of the sacred college, and received in exchange a consecrated sword. Philip II., with his gross superstition and barbarous cruelty, passes generally for a great master in the art of government. Nothing imposes more than terror and power upon the judgments of men. Where are the proofs of his capacity in a reign of forty-three years? After expending, by his own account*, 600,000,000 of gold ducats, and sacrificing 20,000,000 of human lives, what had he to show but the peace of Vervins, which left him where he was forty years before, at the peace of Câteau-Cambresis; the petty conquest of Portugal, and the loss of the Low Countries. He selected for his service men of capacity, such as Granvelle and Alva, but he had nothing in common with them except their cruelty. He ordered his governor of Milan to put to the sword a heretic community of poor shepherds at the foot of the Alps, excepting, or rather reserving, sixty, of whom the governor was to hang one half and burn the other! Where his power did not reach, he employed proscription, poison, and the poniard; and he sent forth his mandates to the military chief, the massacrer, and the assassin from the distant and dastardly security of his cabinet. The tyrant, thus reckless of the lives of others, had a craven sense of peril to his own. He showed, it has been said, fortitude in his adverse fortune; for instance, on the destruction of the armada. But he was

* See his instructions to his son, in the Memoirs of Sully. The authenticity of this piece has been questioned, but not the facts above stated from it.

impassive and unmoved only because he was inhuman. The abbé Boissot, who had seen his private correspondence among the papers of cardinal Granvelle, and had thus the best opportunity of judging him, says that he was not only suspicious, false, ungrateful, cowardly and cruel, but indolent and unresolved; that his slowness passed for prudence; his irresolution for deliberation; his gloomy silence for mysterious wisdom; that but few persons thoroughly knew him, and those few kept his secret; and that he was, in fine, "a very mediocre prince."* Philip II. died at the Escurial on the 4th of September, of a loathsome disease, surrounded by as profound homage and strict obedience as in the height of his pride and power.† He met death without remorse; so completely had his reason been perverted by the theology of the inquisition, and his heart inhumanised by tyrannic power.

About the same period, a person named Squires‡ was condemned and executed for an attempt to take the queen's life by poisoning her saddle! A poison so subtle as to penetrate from the queen's saddle to her pores through the intervening drapery with mortal effect, was beyond the genius even of the sixteenth century. It had existence only in the credulous ignorance and transcendent wickedness of that age. He was also accused of attempting the life of Essex by poisoning his arm-chair. Both attempts, of course, failed — perhaps neither was ever made. Squires confessed on the rack that he was suborned by Walpole, an English Jesuit in Spain. Walpole denied the accusation, and denounced Squires as an impostor. At the same time one Stanley came over from Spain, on the part of the Spanish secretary and Christopher de Mora, under the pretence of warning the queen of Squires's design against her life,

* Lettre de l'Abbé Boissot à Pelisson. "On a représenté Philippe comme un grand politique. Je ne connois pas pourquoi on lui fait cet honneur. Philippe n'a été qu'une âme cruelle, un esprit faux et brouillon." Condillac, Cours d'Histoire.

† See an account of his death, Somers' Tracts, vol. ii.

‡ He is called by some "Squire," by others "Squires;" and there are still greater variances of his Christian name.

and was himself convicted on his confession of having come for the same purpose.* His guilt was more probable than that of Squires. He made a vow, he said, to kill the queen, not by poisoning her saddle, but by discharging a pistol at herself.† It does not appear that he was executed, and he is not even named by Camden.

The disgrace of Essex was only of some weeks. Elizabeth, coquetting between her pride and fondness, made indirect overtures of reconciliation through Killigrew and her physician Dr. Brown‡, and in the beginning of October he was installed at court in as high favour as ever.§ He received his fatal appointment of 1599.
lord deputy of Ireland in the following March. It was not of the queen's suggestion or choice, and was not solicited even by himself. But Nottingham, Cecil, and his other enemies, promoted it earnestly, in order to be relieved from his presence, and subject him to the responsibility of a perilous commission. Camden and the host of writers who have implicitly followed him state that Essex indirectly sought the government of Ireland, by objecting to every name, and suggesting such qualifications as might point to himself. Indirect means were alien, and in this case must have been unnecessary, to him. Even Camden states that he made a show of reluctance. The only wonder is, that he was induced to accept it. Ireland was looked upon as a place of honourable exile from the court: Essex had banished Raleigh thither ||, and the Cecils endeavoured to relieve themselves from his own presence by the appointment of lord deputy on his return from Cadiz.¶ He then evaded the appointment, and exposed the artifice to the queen.** It is strange that the same artifice should now succeeed. Since the death of Burleigh he was regarded as holding the first place in the queen's councils as well as in her affection, and had, throughout Europe, the most brilliant

* Letter of Sec. Cecil, cited in Birch's Neg. 184.
† Cecil, Lett. in Birch's Neg. ‡ Birch's Mem. ii. 388, 389.
§ Letter of Cecil in Birch's Neg. 183. || Birch, i. 56.
¶ His letter to Antonio Peres, cited in Birch, 141. ** See ibid.

reputation of his time. His foreign correspondence occupied four secretaries. His advices from abroad far exceeded those of Walsingham and the Cecils; and his correspondents, English and foreign, were, from his unbounded munificence and engaging qualities, persons of superior character. The court of Spain made vain endeavours to win him, and Henry IV. flattered him by hollow phrases of admiration and personal friendship. His going to Ireland may have been the result of his love of occupation and enterprise,— and his disgusts.

It is unnecessary and would be indiscreet to do more here than glance at the affairs of Ireland.* English dominion in that country, especially since the Reformation, tended rather to barbarise than improve the native Irish and Hibernicised English. The protestantism of England, and her arts of civilisation, came in the train of foreign conquest with its galling oppression and still more galling insolence. There was something also in the barbarous relation of petty chieftaincy and vassalage in the Irish septs, which flattered the imagination and the passions of the vassal as well as of the chief, and indisposed both to submit to the English system, social or political. To these elements of dissociation are to be added the antipathies of religion, and the intrigues of the pope and the king of Spain. The pacification of Ireland, as the courtiers of Elizabeth had the effrontery to call it, was a melancholy, writhing, protracted struggle, alternately languid and ferocious, exhausted and refreshed, through her reign; and so far was the conquest from benefiting the conqueror, that "wise Walsingham," says Osborn, "thought it no treason to wish Ireland buried in the sea." Sir John Perrot had made great progress not only in subduing and pacifying, but in civilising, or, if the word be permitted, in Anglicising Ireland, when he was recalled to receive the judgment of a traitor, and die in the Tower. The impartial and inflexible justice of his government reconciled the Irish to its severity, but made deadly

* See note, Vol. III. p. 304.

enemies of the rapacious host of English adventurers. All the disorders of Irish barbarism and English spoliation, kept down, but, from want of time, not crushed by him, sprang up when the vigour and pressure of his government was withdrawn.* The two rebellions of Shane O'Neale, calling himself king of Ulster, ended, the first in his being received into the queen's favour on his promise of obedience, the second in his murder by a band of Scotch settlers from the Highlands on the northern coast of Ireland. They slew him at a banquet, with which they affected to honour his arrival. His passions, habits, and capacity were those of a mere barbarian. He was succeeded by his nephew, Hugh O'Neale, celebrated as the rebel earl of Tyrone, — a man who combined savage instincts with some of the worst accomplishments of civilisation, and no mean talents for war and government. He was ambitious, brave, crafty, cruel, fertile and daring in expedients, expert in dissimulation. He ruled barbarians with the congenial arts of barbarous dominion, whilst he was familiar with the arts and manners of the courts of England, Rome, and Spain. This Irish Jugurtha having put to death his kinsman, the son of his predecessor, became the head of the O'Neales, organised a rebellion, deceived sir William Russel, and harassed sir John Norris by the desultory warfare of marshes, woods, and fastnesses, until that gallant veteran, who had covered himself with glory in France and the Low Countries, died of vexation. He defeated sir Henry Bagnall in a pitched battle, proclaimed himself the deliverer of his country, and was now to encounter the earl of Essex.

The earl counted among his bosom friends the future chancellor Bacon. The philosopher, then known only as a lawyer, laid before his patron and friend, with prophetic sagacity, the precise sort of warfare and of ene-

* A strong but severely impartial government, without distinction of religious caste or political faction, would be the proper instrument for giving peace, industry, and even liberty, to Ireland in the nineteenth, no less than in the sixteenth, century. How far such a government in Ireland has hitherto been a desideratum, this is not the place to enquire.

mies which he was to encounter in Ireland; the probable failure of his enterprises; the discontent of the queen; the loss of his reputation. Antonio Perez had before given him the prophetic warning, "*Cave tibi ab Hibernia.*"* But all was vain.† Essex, by the rare fortune of his endowments, was beloved by the people, in spite of his being the favourite of the sovereign. He left London for Ireland at the close of March, amidst popular acclamations, with a numerous retinue of lords and gentlemen, and a commission investing him with almost sovereign power. His first exercise of his authority offended the queen. It was a generous imprudence: he appointed to the command of the cavalry his friend Lord Southampton, who had married his kinswoman, and offended Elizabeth by marrying without her leave. It was one of the anomalous weaknesses of that strong-minded princess, that, even in her old age, she expected the gallants of her court to live unmarried, in the distant adoration of her charms.

The great complaint of the queen and her council, including the earl himself, against preceding lord deputies, was, that they wasted time, money, and troops in petty enterprises and hollow truces, instead of attacking Tyrone in his strong-hold, the province of Ulster. Essex, notwithstanding his promise and his orders to proceed directly against Tyrone in the north, opened the campaign by proceeding to quell branch insurrections in the south and west. The queen reproached him with the very errors which he had himself condemned, viz. dividing his forces, sending small detachments upon frivolous enterprises, and listening to hollow submissions from the rebel chiefs. He replied, that he acted upon the information and advice of the Irish lords of the council, from whom, in point of fact, he had obtained, on his arrival, a report of the state of Ireland.‡ Those lords are said to have been actuated by

* Birch, ii. 145.

† Ibid. ii. 395.; and Bacon's Works, v. 246. This advice of Bacon to Essex, asserted by him in his "Apology," iii. 209, &c.) is not easily reconciled with his letter to the earl in the "Cabala," p. 20., and in his Works, v. 246.

‡ Birch, ii. 397.

a regard for their estates in Munster*, and when referred to, had the baseness to deny the counsel which they had given. Essex, with his own superior lights, was easily led—a fatal disqualification in one who has to meet difficulties. It is still hard to believe that the mere representations of some Irish counsellors† could have led him into so flagrant a violation of his orders and his promise. His conduct has been accounted for by another supposition,—that of protracting the war and his command in Ireland, until the queen's death, or some other incident favourable to his ambition should enable him, at the head of his army, to strike a grand blow in England. The queen, in a letter to him, says, "she has great cause to think that his purpose was not to end the war ‡;" and in a conversation with Bacon she said, "his proceedings were not without some private end of his own."§ Nottingham, in a spirit of malignant exaggeration, said, "that he had at his disposal for the suppression of rebellion in Ireland an army sufficient for the conquest of Spain!‖ This army, even on paper, and with the reinforcements sent over, never exceeded 20,000 men, and he never, probably, could bring a fourth of that number into the field.¶ "These rebels," says he, in his first despatch to the queen after he had commenced operations, "are more in number than your majesty's army, and have (though I do unwillingly confess it) better bodies and perfecter use of their arms than those men your majesty sends over." The forces of the lord deputy were soon weakened to absolute inefficiency, by harassing marches, desultory fighting, sickness, and even desertion.** He commenced operations in May, and had only 3500 foot and 300 horse to bring into the field in August.†† He demanded a reinforcement of 2000 men from England, which was

* Camd. Ann.
† "Quidam" is the word used by Camden. ‡ Birch, ii. 431.
§ Bacon, letter to the earl of Devonshire, iii. 209.
‖ Birch, ii. 447. ¶ Sid. Lett. ii. 19.
** Birch's Mem. ii. 427, &c.
†† Sidney Letters of State; Letter of Rowland Whyte, ii. 119.

sent, upon his assurance to proceed directly against Tyrone. The queen, at the same time, wrote him angry and imperious letters. He replied by complaints of his receiving from England "nothing but discomfort and soul's wounds," and of the credit of "Raleigh and Cobham," and others whom he forbears to name, "for their places' sake," meaning, doubtless, Nottingham and Cecil.* Thus passed nearly six months since his arrival in Ireland.

On the 5th of September the lord deputy and Tyrone were encamped in presence of each other in the county of Louth. Tyrone sent an officer to propose a personal interview. Essex returned for answer that he should meet Tyrone next morning on the hill between both camps at the head of his troops, and kept his word. Tyrone declined fighting, and again requested a meeting. The lord deputy consented, and the conference was arranged to take place from the opposite banks of a small river. Essex rode to the top of the intervening hill with an escort of cavalry, saw Tyrone at the appointed place unaccompanied, and rode down to meet him. The rebel earl approached the queen's deputy with all the forms of submission and humility. Tyrone, to come within hearing distance, or because men instinctively speak lower as the conversation becomes more interesting, rode up to his saddle skirts in the water. This conference lasted half an hour, and was followed by a second, also of half an hour, at which six persons, beside the principal, were present on either side.† The result was a suspension of hostilities for periods of six weeks renewable, and subject to be broken on four days' notice given, until the 1st of May. The lord deputy further charged himself with twenty-one propositions from Tyrone to be submitted to the queen for the pacification of Ireland.‡

Essex now meditated his return to England. From his first landing he experienced nothing but disappoint-

* Birch. Mem. ii. 417, 418. † Morrison's Itin.
‡ See the propositions of Tyrone in Winwood's Memorials, i. 119.

ment and disaster. His secretary, Cuffe, whom he had sent over with an account of his operations, dated the 21st of August, returned with a letter dated the 14th of September, from the queen, in which she censured his conduct with elaborate bitterness.* It might be suspected to have come from the pen of Raleigh, so characteristic are the glimpses in it of his hatred and capacity, and so superior is it in thought and style to the known letters of Cecil and Elizabeth. The artful rhetoric and suspicious animosity of this letter, according to the commonly received version of Essex's conduct and motives, determined him to return suddenly and secretly to court, and take by surprise the queen's fondness and the malice of his enemies.† The ascendant of his enemies not only undermined him in the queen's favour, but thwarted him in Ireland.‡ He had foreseen this contingency, and left the court with a letter under the queen's hand, authorising his return at any moment, without notice or further leave.§ But this letter was revoked by a second, peremptorily commanding his stay in Ireland until he received the queen's orders. Osborne, in his traditional memoirs of Elizabeth, relates a device of Cecil for his rival's destruction. He proposed to the queen that a rumour should be contrived to reach Essex, on one day, of her being dangerously ill; the next, of her death; and that, to prevent his being informed of the truth, no ships should be allowed to sail but those charged with the false news. Birch discards this story as unworthy of credit, and it is overlooked or disdained by Hume. It should not, however, be too hastily rejected. Osborne, nearly, if not actually, a contemporary, and well-informed, has been charged with rashness and ill nature, chiefly for his freedom. The device was not unworthy of the

* See Birch, ii. 429.

† Essex is said to have been influenced by the success of Leicester's sudden return from the Low Countries: but he appears to have referred to it by an after-thought before the council: "I thought with myself," said he, "that if Leicester was pardoned, whose end was only to save himself, why might not Essex be pardoned, whose end was to save a kingdom?"

‡ Birch, ii. 423.

§ Sidney Letters, ii. 148.; Lett. of Fran. Woodward.

crafty Cecil, and the suggestion of a treacherous experiment upon Essex would be readily listened to by Elizabeth, at a moment when she was taught by his enemies to fear his landing in Wales or England, at the head of his army, in order to possess himself of the government, if not of the crown. So violent was her apprehension, that, under cover of an exaggerated, if not false, alarm of invasion from Spain, industriously propagated*, the militia of the kingdom was called out, and placed under the command of Nottingham †; and, under the pretence of danger from the Spanish galleys, the shipping in the ports was placed under restrictions which would fully answer the design charged by Osborne upon Cecil and Elizabeth.‡ The falsehood of the alarm of invasion was so generally suspected, that it was a subject of ridicule even to the common people.§

Essex had really thoughts of returning to England escorted by a chosen band of troops; but was dissuaded from a course so perilous by Southampton his friend, and Blount, the husband of his mother, lady Leicester.|| His purpose of returning with an armed force is confirmed by Osborne in his "Political Deductions from Essex's Death," where he again refers to the device above mentioned, but ascribes his change of purpose to "some near about his person suborned to destroy him."¶ He summoned a council, announced his resolution, appointed sir George Carew and the chancellor Loftus lords justices, the earl of Ormond commander-in-chief, and set out for England at an hour's notice, accompanied by a numerous suite of his friends and the officers of his household. On the morning of the 28th of September, he passed hastily and unobserved

* Camd. Ann. † Id. ibid.
‡ Sidney Letters; Lett. of R. Whyte, ii. 125.
§ Camd. Ann. || Blount's Confession; State Trials, i.
¶ Bishop Tounson, in "a letter relating to the last behaviour of sir Walter Raleigh," says, "he (sir Walter) said, moreover, that my lord of Essex was fetched off by a trick which he privately told me of." The bishop does not disclose what this trick was. Whether it had reference to Essex's leaving Ireland contrary to the queen's orders, or to his unhappy expedition from Essex House into the city, or to the queen's signing the warrant for his execution, is quite uncertain.

through London, crossed the river by Lambeth ferry, took horse to Nonsuch, where the queen then was, and soon found that his enemy, lord Grey of Wilton, was riding post by the same road in advance of him. Sir T. Gerard, one of Essex's suite, overtook Grey, and told him "the earl of Essex was a little behind, if he would speak with him."—"No," said Grey, "I have business at court."—"Then I pray you," said Gerard, "let my lord of Essex ride before, that he may bring the first news of his return himself."—"Doth he desire it?" said Grey.—"No," replied Gerard, "nor will, I think, desire any thing at your hands."—"Then," said Grey, "I have business," rode on still faster, and preceded Essex at court by a quarter of an hour.* But whilst Grey was in private conference with Cecil, to whom he first brought his news, the earl had the full benefit of being himself the first to announce his arrival to the queen. He rushed from the presence chamber to her private chamber, and thence to her bedroom, found her "newly up, with her hair about her face," threw himself on his knees, kissed her hand, was received by her with kindness, spoke with her in private for a few minutes, and, on returning to change his travelling-dress, thanked God that after his troubles and storms abroad he found a sweet calm at home.†

The earl's proceeding to the queen's bedchamber so abruptly and unseasonably was less shocking at court than his venturing to present himself before her, covered as he was with "dirt and mire," even to his face, in his travelling dress.‡ Having changed his dress, he had a second interview with Elizabeth, after an hour's lapse, and was received by her no less graciously than before. The servile herd of courtiers crowded round him.

* Lord Grey, according to Camden, passed Essex on the road without even saluting him, and refused the request of Gerard with such a want of courtesy, that sir Christopher St. Lawrence, who attended the earl, offered him to despatch Grey on his way to court, and Cecil in the very court itself. The annalist is good authority in matters dependent on the examination of documents, but in this instance his version is improbable, and the court correspondent of sir Robert Sidney may be preferred.

† Camden, Ann. ‡ Sidney Letters.

"He was now," says the correspondent of sir Robert Sidney, "frankly visited by all sorts of lords, ladies, and gentlemen."* Secretary Cecil and his friends alone kept aloof.† It might be supposed that there was nothing ominous to Essex in the absence or coolness of notorious enemies. But were he securely re-established in the good graces of the queen, his enemies would have been among the foremost to flatter and fawn upon him. Such are the manners of courts.

The precariousness of his favour, and the perils which awaited him, were soon visible. After dining in high spirits with his friends, he again saw the queen for the third time the same day, and found her changed: she accused and threatened him. His enemies, Cecil and Nottingham, had been with her. In the course of the afternoon she commanded him to appear the next day before the council, and between eleven and twelve at night he received orders to keep his chamber. Bacon visited him in his confinement. The earl asked his advice, and received this answer, "*Nubecula est, cito transibit.* It is but a mist, but it is as mists are: if it go upwards, it may haply cause a shower; if downwards, it will clear up‡;" intimating, it need scarcely be added, that all depended upon the humour of Elizabeth. Essex appeared before the council on the 29th of September. The chief heads of accusation against him were his proceedings in Ireland, his writing presumptuous letters to the queen, his contemning her orders, and his intrusion upon her in her bedchamber. He vindicated himself with temper, humility, and discretion.§ The council, after a short and secret deliberation, made their report to the queen. She said that she would pause, and consider of his answers. After two days' confinement to his apartment in the palace at Nonsuch, he was transferred to the house and custody of the lord keeper Egerton in town.

* Sidney Letters, ii. 127, 128. † Camden, Ann.
‡ Letter of Bacon to the earl of Devonshire, Works, iii. 209.
§ Birch, Mem. ii. 434. Sidney Letters, i. 123.

The queen's resentment against him was soon exasperated beyond all bounds, and manifested itself by acts which were odious in a sovereign and disgusting in a woman. Essex was taken seriously ill. It is obvious from the reports of the physicians that his illness was not, as it was then pretended, merely assumed. Lady Essex, at the same time, was confined by childbirth; and her mother, the widow of sir Francis Walsingham, petitioned Elizabeth for permission that the husband and wife might communicate by letters. The request was refused.* Her physician, doctor Brown, who usually attended Essex, and knew his constitution, was forbidden by her to see him. A letter from Tyrone to him was intercepted. It merely acquainted him that Tyrone could not bring his confederates to observe the truce when they found that he had left Ireland. Elizabeth, upon seeing this letter, asked, with vindictive eagerness, whether it did not furnish ground to commit him.† His conduct all this time was calculated to disarm, not to irritate, her resentment. He addressed to her letters so submissively humble, that the style might be called abject, if it were not less the style of the writer than of the time. It would even appear that he thought of renouncing ambition for private retirement: thus variable was his temper — to which should be added his love of literature, and his cultivated taste.‡

The queen's increased bitterness is not to be ascribed, at least not wholly, to the influence and artifices of his enemies. His great crime, in her eyes, was his popularity. Elizabeth found that he was in her disgrace, and only the more beloved; she saw in him a rival in public favour — perhaps, one who, as she expressed it, "might touch her sceptre‡;" her despotic and jealous temper took the alarm, and she already thought of shedding his blood. Her phrase "to commit him," in reference to the letter of Tyrone, meant his committal to the Tower for treason. She, however,

* Sidney Letters, ii. 131, 132. † Birch, ii. 436.
‡ Lettres de M. de Beaumont, cited by Carte and Birch.

after some days, seemed disposed to relent. The council deprecated her severity. Cecil spoke in Essex's favour, and "gained great honour," says Rowland Whyte, writing to sir Robert Sidney, "by his true and honourable dealing with the earl." That ambitious and artful courtier but veered about for the moment with the veering and imperious humour of his mistress.* She said more than once to Bacon, that her purpose was to chastise, not destroy.† On the 3d of November, Dr. Brown, one of her physicians, had leave from her to visit him. Sir Walter Raleigh, who outraged truth and taste in his flattery of Elizabeth, also took ill, and was cured by the magic of her kind enquiries.‡ This masquerade of Raleigh is coupled by Hume with an inaccurate assertion that "the medicine which the queen administered to these aspiring rivals was successful with both." It was not successful with Essex. His illness was real. It continued, and increased; and on the 12th of December his life was in danger.§ The queen ordered a consultation of physicians on his case, and sent Dr. Brown to visit him, with a message of comfort and some broth ‖, which she had specially ordered for him: so implicitly did she believe him the victim of her personal unkindness. It was observed that she spoke with tears in her eyes.¶ He grew still worse, and was publicly prayed for. On the 19th of December, it was reported that he was dead. It was not until the beginning of January that he began to recover.

1600. Elizabeth courted the popular suffrage as studiously and as selfishly as any demagogue. She proposed to have a declaration of her griefs against Essex drawn up in the star-chamber, to satisfy the world of her justice. Upon her mentioning it to Bacon, he advised her to hush up the matter privately, as the earl would

* See Letter of Raleigh to him, in Murdin, ad finem.

† "Ad castigationem, non ad destructionem; ad reparationem, non ad ruinam." (Birch, ii. 446. Bacon's Works, iii. 209.)

‡ Sidney Letters, 139.

§ Ibid. 149.

‖ It was Elizabeth's practice to send broth or sweatmeats to her courtiers when they were, or affected to be, ill. See Lett. of sir Robert Sidney, Nugd. Antiquæ, vol. i. p. 314.

¶ Sid. Let. 149. Birch.

be "too hard for her in *foro famæ*." She heard this counsel with marked distaste, and persisted in her resolution. His fate still remained uncertain; but his confinement was somewhat mitigated. He was, after some time, allowed to return to Essex House, where, however, he was still in the strict custody of sir W. Berkeley, who kept the keys. Lady Essex alone was allowed to visit him, and only during certain hours of the day. The capricious alternations of privation and indulgence with which he was now treated by Elizabeth, betrayed her worst and weakest passions. They are unworthy of detailed narration, and would be perused with disgust.

Elizabeth was worthily sustaining at the same time, in another capacity, her character as a sovereign. She carried on negotiations with three foreign powers. The king of Denmark provoked her resentment by extortions and vexations exercised on the English fishing vessels that passed the Sound, and on the merchant ships engaged in the infant trade with Muscovy. Elizabeth demanded redress, with, as usual, a threat of retribution; and sent out commissioners, to meet, at Emden, others appointed by that king. Through an accidental delay on the part of the English, and the impatience or purposed evasion of the Danish commissioners, the latter had left Emden before the former arrived; and, after a protracted negotiation, no agreement was entered into. But the queen's decisive tone and known character insured protection to her subjects in the Danish and Norwegian seas.

She had also commercial differences with the Hanse towns, which were blended with those above related; and the whole matter, after a reference by the towns for redress to the diet of the empire, came ultimately before a congress at Bremen in the next year but one. The diplomatic pieces, English, Danish, and German, are given by Rymer * with disproportioned copiousness,

* Vol. xvi. from p. 105. to p. 472.

but without the issue of the congress of Bremen, or the settlement of any leading matter in dispute.

Serious and frequent depredations had been committed by French upon English vessels; warlike stores and provisions were carried under the French flag to Spain, contrary to the faith of treaties; and Henry IV. was in the queen's debt. These points were amicably discussed in correspondence and by commissioners; and Henry repaid the 20,000 crowns advanced to his envoys, Bouillon and Harlay de Sancy, on their word.*

An act of the queen this year, for the promotion of the foreign trade of the country, proved the foundation of British dominion in India. She chartered, with ample privilege, by the title of the East India Company, an association of merchants, who sent out with three ships, to the East, James Lancaster, distinguished for his capture of Pernambuco.†

In the height of the alarm of a Spanish invasion, the archduke Andrew, acting for his brother Albert, who had become sovereign of the Spanish Netherlands by his marriage with the infanta, and was then at Madrid, sent commissioners over to treat of peace. The absence of Essex, then in Ireland, the more pacific disposition of Cecil and the rest of the queen's council, and the general unwillingness of the people to meet the charges of a war‡, rendered the conclusion of peace more than usually probable. The commissioners came without sufficient authority from the King of Spain, and the negotiations could not proceed.§ About the middle of September, the queen received a letter from the archduke Albert, now returned to Brussels, stating that he was furnished with full powers by Philip III.‖ Elizabeth acquainted the states-ge-

* Carte, b. xix. p. 680.

† Camden, after stating that this company increased their fleets, and extended their trade and conquests from year to year, throws out the following doubt of the ultimate consequences:—"An in Reipublicæ bonum tanta vi argenti ex Anglia exportata et tanta multitudine nautarum quot annis absumpta prudentes dixerint et posteri viderint."

‡ Sidney, Letters of State, ii. 114.

§ Ibid. 126.

‖ Meteren, Hist. des Pays Bas, liv. xxi.

neral with the overture, and made it a condition that they should be parties to the negotiation. The states, sensible of the paramount advantage which they derived from independence and liberty, even during the process of fighting for them, were filled with jealous alarm by the queen's proposing to negotiate with Spain. They felt that compromise would be fatal to them. Prince Maurice, at the head of the army, but not yet the usurping master of the republic, was equally averse. Both the states and the prince used every art to retard the negotiations; and finally refused to treat.* Elizabeth acquainted the archduke that she was ready to negotiate alone; "but would never be drawn by all the conferences in the world to any other than good and honourable conditions, *with care for ever of her allies.*" † Henry IV., in his communications with sir Henry Neville, the queen's ambassador, affected great eagerness to promote peace, and offered Boulogne as the place of meeting for the negotiators.‡ The queen's commissioners were sir Thomas Edmondes, sir Henry Neville; Herbert, who was employed with Cecil at Vervins; and Beale, clerk of the council. The king of Spain sent Fonseca, his ambassador at Brussels; and Carillo, counsellor of Castille. The archduke sent the audiencer Verreken, and the president Richardot. The negotiators were about to meet in the most favourable temper, when a difficulty arose at the very threshold. The Spaniards insisted upon taking precedence of the English commissioners. A preliminary discussion was started upon this question of ceremonial. Communications took place with London and Madrid. The queen consented to terms of equality, or to a decision by lot; the king of Spain insisted upon precedence; and the diplomatists separated without even a formal opening of the congress. The Spanish commissioners pretended to the superiority which was conceded to Charles V. rather as emperor than as king of Spain. Grandeur

* Letters of Gilpin, the queen's envoy at the Hague, Sidney Papers.
† Win. 174. Cecil to Neville. ‡ Win. i. 174.

is but the more punctilious in its decline; and the Spaniards, ever a great and noble people,— degenerate in their government, rather than as a nation,— were not yet sensible how fatally the sinews of their strength had been cut away by Philip II. This rupture was far from displeasing to Henry IV., who secretly impeded, whilst he affected to promote, the negotiation. He apprehended, as the consequence of peace, that the Spaniards would aid the duke of Savoy, with whom he was then at war. The letters of sir Henry Neville to secretary Cecil repeatedly assert the duplicity of his conduct, and the hollowness of his friendship.* On the 28th of July the commissioners separated. The states-general, it may be supposed, were not a little rejoiced at this issue; and the battle of Nieuport had been gained, in the mean time, by Prince Maurice. It was the only signal victory obtained by that politic and ambitious prince,— who yet must have merited his reputation as a general;— and he was indebted for it to the steady gallantry of 1500 English auxiliaries under the command of sir Francis Vere.

Lord Mountjoy, after an earnest attempt to evade it, from his affectionate† regard for Essex, was appointed lord deputy of Ireland. Upon the queen's mentioning the appointment to Bacon, he replied, "Surely, madam, you cannot make a better choice, unless you send over my lord of Essex."— "Essex," said she with great vehemence; "when I send Essex back again into Ireland I will marry you. Claim it of me."‡ It was inferred from the appointment of Mountjoy to the government of Ireland, that a military command would not again be given by her to the favourite§, and that his highest honour would be that of making a brilliant figure with a white wand in a court pageant, as recommended to her by Bacon.‖

* Negotiations of Sir Hen. Neville, Win. Mem. vol. i.
† Bacon's Apology, Works, vol. iii.
‡ Ibid.
§ Sidney Letters, R. Whyte, 141.
‖ Apology, ut suprà.

No one seemed to expect or apprehend his permanent disgrace. But if Elizabeth entertained for Essex the fondness of a woman, whose vanity grew more exorbitant with her years, she regarded more than ever the slightest approach "to touch her sceptre" with the jealousy of an eastern despot. Essex was descended from Thomas of Woodstock, a younger son of Edward III. Sir John Hayward published at this time the first part of his History of Henry IV., with a dedication to the earl. The perilous association of ideas suggested by the fall of Richard and rise of Bolingbroke, and the following expressions addressed to Essex in the dedication, "*magnus siquidem es et præsenti judicio et futuri temporis expectatione,*" waked the jealousy of the queen. She asked Bacon whether he could not find in the book something which could be construed into treason. He replied, that "he could find no treason, but many felonies." "How?" said the queen. "Yes, madam," continued Bacon, "very apparent thefts from Cornelius Tacitus." Elizabeth returning to the subject in another conversation with him, said, she suspected Hayward but lent his name, and she would have him racked to make him confess who was the real author. "Nay, madam," said Bacon, "he is a doctor; never rack his person, but rack his style. Let him have pen and ink and paper, and help of books, and be enjoined to continue the story where it breaketh off, and I will undertake, by collating the styles, to judge whether he be the author or no."* Hayward was rescued from torture by the wit of a court lawyer, but thrown arbitrarily into prison at a time when Englishmen are told they had liberties and the constitution,—and the fortunes of Richard and Henry rankled in the queen's imagination against the unfortunate earl. The more violent of his friends and dependants complained loudly that he was persecuted by his enemies, and oppressed by the queen. Injustice

* Bacon's Apology, vol. iii.

and his sufferings endeared him more than ever to the people. The streets and ordinaries resounded with execrations against his oppressors; satirical allusions to the court were improvised by the players, and seized eagerly by the audience; personal ribaldries against the queen's ministers were inscribed on the walls of her palace.* Her capricious resentment, compounded of suspicion, jealousy, and fear, was again inflamed. It was intimated to her that the sickness of Essex was pretended, and she rebuked the ministers who offered up public prayers for him.†

Elizabeth, in the characteristic spirit of despotic monarchy‡, took presents from her subjects, and Essex sent her a magnificent new year's gift. After remaining some time in the hands of the comptroller, it was returned to him. She accepted, at the same time, valuable presents from his sister, lady Rich, and his mother, lady Leicester, whilst she refused their entreaties to be allowed to see him, and took fire at their saluting him from a window which looked over York garden, where he was allowed to walk.§ Essex's "Apology," written by him two years before, was now printed; and copies of a letter of complaint, addressed by lady Rich to the queen, were in the hands of several persons. These were new offences in the eyes of a princess, who carried despotism to so high a pitch as to deny those who suffered from her displeasure the privilege of vindication or complaint. Elizabeth expected the visitations of her wrath to be received, like those of Providence, without a murmur. She determined, after some time and consultation, to put him upon his trial for various contempts, before commissioners being members of her council. Nothing would have been more easy than to find matter of treason at a time when the crime and the procedure were unsettled; and when sir Edward Coke, the most fierce and servile of court sycophants and crown lawyers, was the queen's

* Bacon's Apology. Ibid.
† Birch, ii. 441.
‡ Montesquieu, Esprit des Lois.
§ Birch, ii. 442.

attorney-general. This milder course, then, could have proceeded only from lingering affection, or the indecisive conflict of antagonist passions in the queen's bosom. But the creation of such a court was repugnant to the laws and customs of the realm; it was more manageable, and therefore more dangerous, than even the star-chamber. There were many precedents, it is true, in her father's reign. It was by tribunals thus constituted that Henry VIII. shed so much innocent and generous blood. Trials of state delinquents by such commissioners were also common in France; but they were repudiated even there as irregular.* Elizabeth, however, had no thought of seeking precedents at home or abroad. She proclaimed the proceeding a gracious emanation of her arbitrary and irresponsible sovereign power. The business was opened with a solemn declaration, that "her majesty, being imperial and immediate under God, was not holden to render account of her actions to any."† Could despotism announce itself by a more explicit formulary?

The commissioners, eighteen in number, of whom ten were peers, three commoners of the privy council, and five judges‡, assembled at the house of the lord-keeper§

* Pelisson, in his eloquent pleading for the unfortunate Fouquet, thus addresses Louis XIV.:—"S'il faut enfin entendre la voix du peuple, cette voix, sire, qui est si souvent celle de Dieu, cette voix qui fait, à vrai dire, la gloire des rois, qui parle si magnifiquement aujourd'hui, par toute la terre, des vertus de V. M., elle dira à V. M. que tout ce qui n'est point naturel et ordinaire, lui est suspect; qu'un innocent même, condamné par notre parlement, passe toujours pour coupable,—qu'un coupable même condamné par des commissaires, laisse toujours au public et à la postérité quelque soupçon d'innocence,—qu'enfin le général du monde regarde ces deux sortes de juges comme deux choses tout à fait différentes,—témoin la réponse de ce bon religieux, que l'histoire n'a pas trouvée indigne d'être raportée, quand le roi François I. regardant à Marcoussy le tombeau d'un surintendant immolé, sous un des rois précédens, aux jalousies de la cour et à la passion d'un duc de Bourgogne, et ce grand prince disant que c'était dommage qu'on eût fait mourir un tel homme par justice: "Ce n'est pas par justice, sire," repondit ingénument le religieux, "c'est par commissaires."

† Bacon's Works, iii. 118.

‡ See the names in Birch, ii. 447.

§ A note in Rapin's Abrégé Historique des Actes Publiques d'Angleterre, Hague edition, contains a whimsical mistake. "Camden dit que l'audience ne se donna pas dans la chambre étoilée, mais dans la propre maison *du concierge*." Thus the lord keeper is changed by mistranslation doubtless, into the door-keeper, and Essex tried by the council in the porter's lodge.

Egerton, on the 5th of June, at nine in the morning. When Essex, the day after his sudden arrival at the court, appeared by the queen's orders before the council, they rose to salute him.* He was now received on his entrance without the slightest expression of courtesy or recognition.† He knelt at the lower end of the council table; was suffered to remain some time upon his knees after the proceedings began; was then allowed a cushion to kneel upon; next obtained the indulgence of leaning against a cupboard; and at last was allowed to sit upon a stool, with his hat lying by him on the floor, to hold his papers.‡ "It was a most pitiful and lamentable sight," says a courtier of that day, "to see him that was the minion of fortune, now unworthy of the least honour he had of so many. Many that were present burst out in tears at his fall to such misery." § There was present an auditory of about 200 persons, "almost all men of quality," says Bacon, to witness this striking spectacle of the treacherous instability of human greatness, where it depends only upon the favour of a prince. The three main charges against him were, not attacking Tyrone, granting him an armistice, and leaving his government contrary to the queen's orders under her hand. ‖ Yelverton, the queen's serjeant, opened the case with moderation. The attorney-general Coke expatiated on the earl's conduct with irrelevant virulence, and a strange avidity to point his rhetoric and the law against the life of the accused. An imperfectly broken bloodhound, struggling with his instincts in the presence of his prey, would be no inapt type of him. He gratuitously construed the charges against Essex into treason, before a tribunal which was not instructed or competent to take cognizance of that crime; and proposed as a "gentle" precedent, the case of William Britten, earl of Richmond, who, upon his refusal "to come out of France,

* Birch, ii. 434.
† Id. ibid. 447.
‡ Sid. Letters, ii, 199.
§ Letter of R. W. 200. Ibid.
‖ Bacon, iii. 123.

was adjudged to lose all his goods, lands, chattels, and to suffer perpetual imprisonment."* Fleming, the solicitor-general, followed; and the case on the part of the queen's council was closed by the unhappy Bacon, against his munificent benefactor and confiding friend. The part assigned to him † was to criminate Essex for his letters to the queen, and for the dedication of Hayward's book. Essex again, on his knees ‡, disclaimed all idea of justifying his conduct; besought their honours to be a means unto her majesty of grace and mercy §; affirmed solemnly that the Irish council dealt with him most falsely, in denying their having advised the expedition to Munster; and said, "it seemed that God's just revenge had overtaken two of them already, —the earl of Ormond by blindness, and sir Warham St. Ledger by violent death." ‖ The lord treasurer Buckhurst, the lord admiral Nottingham, secretary Cecil, and other members of this extraordinary tribunal, censured his conduct with some dignity; and after a sitting which lasted from nine in the morning till eight in the evening ¶, adjudged him to the sequestration of all his offices, severally specified, except that of master of the horse **; and to continue during the queen's pleasure a prisoner in his own house. It was intimated to him at the same time, that his submissive appeal to the queen's clemency should be favourably represented to her.

Bacon wrote to him in a tone of pedant insolence, rather rebuked the earl than justified himself, and proffered the continuance of his affection and good offices. "No man," he begins, "can expound my doings better than your lordship, which makes me need to say the less. . . As I was very sorry your lordship should fly with waxen wings, doubting Icarus's fortune; so, for the growing up of your own feathers, be they estridge's or other kind, no man shall be more glad." Essex replied with an equal superiority of character, temper, and

* Birch, 449.
† Bacon's Letter to the earl of Devonshire.
‡ Birch, 450.
§ Sid. Letters, 200.
‖ Birch, 451.
¶ Sid. Letters, ii. 200, &c.
** Ibid. 201.

style: "I can," says he, "neither expound nor censure your late actions, being ignorant of all of them, save one. . . . Your profession of affection and offer of good offices are welcome to me. For answer to them, I will say but this; that you have believed that I have been kind to you, and you may believe that I cannot be other either upon humour or mine own election. I am a stranger to all poetical conceits, or else I would say somewhat of your poetical example; but this I must say, that I never flew with other wings than desire to merit and confidence in my sovereign's favour; and when one of these wings failed me, I would light nowhere but at my sovereign's feet, though she suffered me to be bruised with my fall."*

On the 5th of July, his keeper was removed, but he still remained a prisoner at Essex House, living so privately as to forbid the visits of his friends.† About the end of August he was summoned to York House, where Buckhurst, Egerton, and Cecil signified to him the queen's pleasure for his liberation. He received this intimation with humble and even subservient gratitude.

Hume and other writers after Camden, have represented Elizabeth as now relenting towards him, and his restoration to her favour defeated only by his impatience and fatal enterprise. The chief, if not only, fact upon which this supposition rests, is his not having been stripped of the mastership of the horse with his other offices. That exception is accounted for by the court correspondent of sir Robert Sidney—a better authority in this instance than Camden.‡ It was not a patent office, and a substitute was already appointed by the queen.§ Upon obtaining his liberty, he earnestly solicited permission to kiss the queen's hands once before he retired into the country, and was refused. He was described by secretary Cecil, in a confidential letter

* Birch, 457, 458. Bacon's Works, v. 251, 252.

† Sid. Letters, ut suprà.

‡ Camden's account of Essex is drawn chiefly from documents supplied by Cecil. He saw (as appears by his Annals) Cuffe's confession to Cecil, first published in the Hardwicke State Papers.

§ Sid. Letters, 201.

to sir George Carew, as "free from guard, but under indignation."* After some weeks passed in the country, he returned to London, in order to solicit the renewal of his patent for farming sweet wines, which was about to expire.† He looked to the result as decisive of his fate. His munificence had impaired, if not ruined, his private fortune; his income was derived mainly from the offices of which he was deprived, and this expiring patent. Hitherto he manifested the most penitent humility. When retiring, on his release, into the country, he sent a verbal message to the queen by lord Henry Howard, that he kissed her hand, and the rod with which she chastised him; and that he said to himself with Nebuchadnezzar, "Let my dwelling be with the beasts of the field, to eat grass as an ox, and to be wet with the dew of heaven, until it shall please the queen to restore my understanding to me."‡ Elizabeth replied, that he had tried her patience a long time; that she should make further trial of his submission; and that her father would have been less tolerant.§ This terrible reminiscence from the daughter of Henry VIII. must have chilled the blood of him to whom it was conveyed; and of the bearer also, who was the brother of Norfolk, and son of the accomplished Surrey. Essex, on his arrival in town, lived as privately as before, and made the most humble and earnest suit for his patent. Elizabeth refused; and gave as her reason, "that a restive horse must be broken into the ring by stinting him of his provender‖—that unsound bodies are but the worse for high feeding."

The harsh temper of the queen has been ascribed to

* Cited by Birch, ii. 456. from the Lambeth MSS.

† All wines but those of France and the Rhine were included in this denomination. Camd. Ann.

‡ Camd. Ann. § Ibid.

‖ The expression usually ascribed to Elizabeth, "that an ungovernable beast must be stinted in his provender," is taken from the common English version of Camden's Annals, which is in general too loose, and sometimes incorrect. The words, in Hearn's edition of the original, "equo ferocienti pabulum subtrahendum ut facilius in gyrum reducatur," convey much more meaning and character. Elizabeth would have her courtiers as subject to her pleasure, and as obedient to her hand, as the horse that carried her.

some expressions of impatient discontent which had escaped Essex; but more particularly to her having been told by some court ladies of gallantry, whom Essex had made his enemies by desertion or neglect of their charms, that he said "she was become an old woman, not more crooked in her body than in her mind." If this outrage to the vanity of Elizabeth was really repeated to her, the only wonder is, that she did not send him instantly to the Tower, and next day to the scaffold.

But it is much more probable, that the earl and the queen were actuated by a secret under-current of motives and designs. Essex, it will presently appear*, had tampered deeply with Tyrone in Ireland—with the king of Scotland since his return to England;—and his practices with both were known to the queen, the council, and his enemies. Elizabeth, judging it impolitic to give publicity to the transaction with Tyrone—shrinking, as she grew older, with increased horror from even the mention of a successor—seeing danger in proceeding to extremities with one who was so dear both to the army and people—and touched, perhaps, with some remaining kindness for him,—proposed to herself, either to consign him to the honourable exile of a foreign embassy†, or to deprive him of his income as a courtier, forbid him the court, and thus reduce him to poverty, obscurity, and oblivion. Essex was not without apprehensions of the queen's designs, and the suggestions of his enemies. He awaited the result of his suit for a renewal of the patent, as the crisis of his fortunes‡; and upon finding it refused with imperious contumely, gave loose to his passions.§ "The queen," said he, "has pushed me down into private life—I will not be a vile, obsequious slave. The dagger of my enemies has struck me to the hilt—I will not be bound to their car of triumph."‖ His secretary, Cuffe, a man

* Confessions, &c.

† Camd. Ann.

‡ Confession of Davers, Birch, 472.

§ "The earl's speech of the queen," says Harrington (i. 179.), "becometh no man who hath *mens sana in corpore sano*."

‖ "In privatam vitam regina me detrusit—vili obsequio servire nescio. . . . . Ab adversariis totum telum corpore recepi . . . . triumphalem currum non subsequar."—*Camd. Ann.*

who carried ambitious and daring views under the exterior simplicity and rudeness of a studious scholar*, had constantly advised him to deny the charges, and stand frankly upon his defence. He reproached Essex, for his submission before the commissioners, with weakness, and the advisers of it with folly, in terms so unmeasured, that the earl indignantly dismissed him from his household.† Cuffe, from personal attachment to the earl, who had above all men the secret to make himself beloved, was so affected by his dismissal, that he fell senseless upon its being announced to him. It may be doubted whether his was not the sounder advice. Self-crimination is rarely prudent—*habemus confitentem reum*, is a dangerous weapon supplied to an enemy. Essex returned the affection of his dependants and friends, and about this period received back his secretary through the mediation of Southampton. Cuffe, unchanged in his character and counsels, told him, upon the refusal of his patent, that there could no longer be a doubt of the queen's intention to degrade him, by court disgrace and poverty, to such a state that he should be abandoned by his friends and despised by his foes; that, to save himself, he must act immediately and resolutely. His ambition, his wounded pride, and, perhaps, even his reason, made him give ear to these suggestions. He summoned Southampton from the Netherlands, and sir Christopher Blount from his country house.

His project now was, to oblige the queen to dismiss his enemies from her council, and receive in their place himself and his friends. In a constitutional monarchy, the sovereign may be compelled to dismiss favoured, and employ obnoxious ministers, by the expression of public opinion through the petitions of the people, or the votes of parliament. Under the despotic government of Elizabeth, it could be effected only by conspiracy and force. Essex, according to Camden, had scruples of conscience, and consulted certain Oxford

* Birch, ii. 462. Reliq. Wott. † Camd. Ann.

divines.* Were he a Roman catholic who thus placed his conscience and his actions under the guidance of spiritual casuists, he would have come down the stream of English history with the epithet "priest-ridden." It is obvious, that a man thus divided between ambition and his scruples was unfit for his mission. He, however, resolved for the former, and held meetings of his friends and partisans. Sir Gilly Merick, his steward of the household, kept an open table for military officers and other adventurers, reckless of danger and discontented with the court. Essex inclined to the tenets of the puritans, and they were devoted to him. His house was open to them, and their sermons and readings attracted thither numerous assemblages. He was already endeared to the catholics for his known attachment to the principles of universal toleration,—popery not excepted,— and he engaged them in his interests by specific promises through sir Christopher Blount and sir J. Davis, both of that religion.

The designs of Essex were too palpable, and his temper too unguarded, to escape the fears, the vigilance, and the spies of his enemies and the court. No specific discovery, however, appears to have been yet made; no sufficient overt act was detected; he continued unmolested, but not unobserved. By the advice of Cuffe, though he gathered round him many, he gave his confidence only to a few. Those whom he chiefly trusted, were Southampton, Blount, Cuffe, Merick; sir Ferdinando Gorges, for whom he had obtained the government of Plymouth; sir Charles Davers†, a devoted friend of Southampton; sir John Davis, surveyor of ordnance, distinguished as a mathematician; and John Lyttleton, a man of capacity and resolution. Various plans were agitated. There were moments when his peril appeared so great, and his resources so desperate, that it was proposed to him to provide for his safety by leaving the kingdom‡: Southampton and other friends

* Camd. Ann. 1600.

† Camden calls him Danversius in Latin; but it does not follow that he intended, as several writers have supposed, Danvers, not Davers.

‡ Confession of Daver's, Birch, 470.

offered to share his exile. He declared that there was no hazard which he would not encounter, rather than doom himself to the life of a fugitive.* A secret council, composed of Southampton, Davers, Davis, Gorges, and Lyttleton, met in conclave at Drury House, the residence of Davers: other persons were sometimes admitted to their meetings, but not to their secrets. Essex sent them a paper containing the names of 120 lords, knights, and gentlemen, upon whom he could reckon; and submitted to them for deliberation, whether to begin with seizing the queen's palace or the Tower, or seize both at once; and what should be done with regard to the city. Neither Essex, Blount, nor Cuffe went to Drury House, probably from the fear of exciting suspicion. It was resolved that the first act should be to surprise and seize the palace: Blount had it in charge to occupy the outer gate, Davis the inner court, Davers the guard-room and presence-chamber,—each with a force sufficient to overpower the ordinary sentries; whilst Essex himself should pass through the mews into the palace, unquestioned by the guards, to whom he was known as their chief officer, present himself before the queen with an imposing array of lords and gentlemen, and supplicate her to banish his enemies, Cecil, Cobham, and Raleigh, from her person and councils for ever.

This resolution to seize the court and the queen was taken before the end of December†: it was not till the 1601.
7th of February that the court manifested any suspicion. The apparent supineness both of the conspirators and the queen's council is easily accounted for: Essex waited the arrival of an embassy from the king of Scotland, to whom he had sent an agent; and secretary Cecil was accurately informed of the secret meetings at Drury House. Camden intimates merely that some slight disclosures were made to the court (*levi alicujus indicio*); and the president De Thou says that Essex was be-

* Confession of Davers, Birch, ii. 470. † Id. ibid.

trayed by a young man of good family in his household, whom he trusted with his most secret counsels *: the false brother was probably sir Ferdinando Gorges.†

On the 7th of February, Robert Sackville, son of the treasurer Buckhurst, went, under the pretence of a visit of civility, to the earl: he was sent to observe and report the interior aspect of Essex House. Soon after his return, the council assembled at the house of his father, and Herbert, the second secretary, was sent to summon Essex to appear before it, "in order to his being admonished not to abuse his liberty." A note warning him of danger was at the same time placed in his hands. He excused himself on the plea of illness. It is in the highest degree probable that the secret intimation of his danger was a device of the council, to make him rush headlong into some violence which should compromise his life. If such was the design, it completely succeeded. Essex immediately summoned a council of his friends, apprised them of the impending danger, and told them there was no alternative between instant flight and resorting to open force.‡ They decided for the latter. Gorges announced that the guards at the palace were increased and on the alert, and the project of surprising the court was abandoned. The next and only resource was to raise the citizens. Some present were sensible how uncertain an element is the popular humour. Whilst they were debating this matter, a person came from the city, with an assurance that the citizens might be relied on.§ The messenger is neither named nor described. It may be presumed that this message was a second device of his enemies, tending to the same end as the first. Essex was now flushed with hope of the citizens, and confidence in his popularity; he further had been taught to expect that the sheriff Smith would support him with 1000 trainbands. It was resolved, first to raise the city, and, thus reinforced, overpower his enemies at court, and force his way to

* Thuan. vi. 59.
† See Essex's trial, State Trials, ii.
‡ Birch, 464.
§ Ibid.

the queen. The city was to be entered by Essex at the head of about 200 gentlemen on the following morning, being Sunday, at such an hour as to meet the aldermen, common council, and people coming out from prayers at St. Paul's cross. Meanwhile he summoned his friends in every direction to rally round him at Essex House, for his protection against the designs, as he declared, of Raleigh and Cobham against his life.

On the morning of Sunday, the 8th of February, Essex found himself surrounded by lords, gentlemen, and followers, amounting in all to about 300 persons. The gates were opened only to those who entered, with one exception. Raleigh sent a message to sir F. Gorges, desiring to see him; and Gorges was allowed to meet him, by way of precaution, on the river. Gorges declared, in his confession, that Blount sent several shots after him upon his taking boat, because he refused to seize the person or take the life of Raleigh.* He nevertheless returned, and was received back into the garrison.† So blindly was he trusted.

Whilst Essex was preparing to sally forth with his band of friends and followers, admittance was demanded at his gate, in the queen's name, by the lord keeper Egerton, the earl of Worcester, the chief justice, and the comptroller. Admitted with some difficulty through a wicket, which was closed against their attendants, excepting the purse-bearer of the lord keeper, they found Essex in the inner court, surrounded by about 300 persons; demanded, in the queen's name, the cause of this assemblage; told Essex that, if he suffered wrong, justice should be done him; and commanded the persons present, on their allegiance, to lay down their arms. Essex complained of the malice of his enemies, who sought his blood; Southampton, of a personal outrage offered to him by Grey of Wilton, — who, by the way, was imprisoned for it; the multitude interrupted the parley by crying

* See Trial of Essex, &c. State Trials, i.

† Gorges's declaration of what passed between himself and sir W. Raleigh, confirmed by Raleigh on Essex's trial, is at once immaterial and incredible. (See Trial.)

to Essex, "You lose time!" "Away with them!" "They betray you!" and whilst the four officers of state were retiring into the house to confer privately with Essex, there were cries of "Kill them!" "Keep them in custody!" "Away with the great seal!" Essex, having told them that he was going into the city to take measures with the lord mayor and sheriffs, placed them in durance, with sir John Davis for their keeper; recommended patience to them, as he should soon return; charged sir Gilly Merick with the defence of Essex House; and sallied forth with about 200 persons, armed only with their ordinary rapiers, and some few with pistols. Lords Southampton, Rutland, Sandys, and Monteagle had met him at Essex House; and he was joined, in Fleet-street, by lords Bedford and Cromwell. He proceeded into the city, crying that his life was sought; that England was sold to Spain by his enemies, who would give the crown to the infanta; and called upon the citizens to arm themselves for England and the queen. But the vigilant government of Elizabeth had already commanded the citizens, through the lord mayor, to keep peaceably within doors, and the appeal of Essex was heard with disheartening indifference. He arrived at the house of Smith so drenched with perspiration, at that cold season, from the agitation of his mind, that he found it necessary to change his dress: the sheriff, meanwhile, deserted him by a back-door, under pretence of going to the lord mayor. Whilst he waited in vain the return of the sheriff, news was brought him that lord Burleigh, the secretary's elder brother, in one quarter of the city, the earl of Cumberland in another, attended, the former by the Garter king at arms, the latter by the knight marshal, were proclaiming him a traitor. He rushed once more wildly into the streets, repeated his cries about Spain and the infanta, found the people keeping aloof,—his followers leaving him,—whilst Nottingham was approaching with a body of troops,—and resolved to force his way back to Essex House. Sir John Levison, whom the bishop of London

had ordered out with a force of halberdmen and musketeers, barred his passage, first at Ludgate, next at the west gate of St. Paul's, where a chain was drawn across. Essex drew his sword and ordered a charge, which Blount executed with vigour; killing, by a rare hazard, with his own hand, an officer named Waite, whom Leicester had suborned to assassinate him in the Low Countries. Blount, however, was wounded and taken prisoner; a young gentleman, named Tracy, was killed by Essex's side; the earl himself received a shot through his hat; and the charge was repulsed. The river was now his only hope. He made his way to Queenhithe, and found boats there to take himself, and the few followers who remained with him, to Essex House.

Gorges, upon the first check at Ludgate, urged Essex to permit his return alone to release the prisoners at Essex House, and employ them as mediators with the queen. He was permitted to depart, with a token for the release only of the chief justice; liberated the three, and went with them to court. Essex, who had designed, if he succeeded in the city, to be attended by them to the queen's presence *, would now have used them either as intercessors or hostages, and was enraged at their release by Gorges. He burned such papers as would compromise himself or his friends, and put his house in a state of defence, — still idly hoping for aid from the city.†

The lord admiral Nottingham, acting as the queen's lieutenant, and having under his orders the earls of Cumberland and Lincoln, lords Effingham (his son), Thomas Howard, Grey, Burleigh, and Compton; sir Robert Sidney, sir John Stanhope, and Mr. Fulk Greville, invested Essex House on the land side and by the river. All being prepared for an assault, sir Robert Sidney, by order of Nottingham, summoned the earl to surrender. Southampton, who answered for him, demanded hostages. He was told that neither hostages nor conditions would be yielded to armed rebels. Not-

* Confession of Lord Rutland, State Trials, i. † Birch, ii. 467.

tingham, however, had the generosity to offer a free passage to the wife and sister of Essex, with their female attendants. He even allowed two hours for their going out, and for restoring the defences of the gate through which they should pass. Before the expiration of that time, Essex, from impatience or despair, was for cutting his way, sword in hand, through the besiegers. Lord Sandys encouraged him in this resolution; declared the boldest counsel, in their case, the safest; and said, that at the worst they should die like men of honour, in arms, not like criminals, on a scaffold. The ill-fated Essex wavered, from the advice of others or his own irresolution; again proposed to surrender upon terms, which were again refused; and finally yielded unconditionally; having made three requests, through Nottingham, to the queen, — for civil treatment, a fair trial, and the attendance of Ashton, his chaplain.

Twelve hours had now elapsed since the sally of Essex; the night was advanced, dark, and stormy; and Nottingham, considering a passage by the river to the Tower dangerous or impracticable, conducted Essex and Southampton prisoners to Lambeth palace. The archbishop (Whitgift) had been the tutor of Essex at Cambridge, and condoled with him on his melancholy fortune. The earl vindicated his conduct by the justice of his cause, and spoke with bitter contempt of the baseness and cowardice of the Londoners.* Elizabeth sent strict orders that both prisoners should be conveyed to the Tower by a barge forthwith. Lords Rutland, Sandys, Cromwell, and Monteagle, sir Charles Davers, and sir Henry Bromley, were conveyed thither in boats. The rest of the prisoners were confined in the common gaols.

Elizabeth, during this trying crisis, conducted herself with admirable self-possession. "Even when," says Cecil, in a confidential letter to sir George Carew †, "a

* Dr. Barlowe's Sermon at Paul's Cross, on Sunday, March 1., cited in Birch, 468. note †.

† From Lambeth MSS. by Birch, 468.

false alarm was brought her that the city revolted, she was no more amazed than she would have been to have heard of a fray in Fleet-street." She was at dinner, according to another contemporary account *, when the news reached her; and continued to dine, not only undismayed, but undisturbed. Next day, the 9th, she issued a proclamation, thanking the citizens for their loyalty; and on the 15th, a second proclamation, commanding vagabonds, idlers, tavern frequenters, and newsmongers to quit London on pain of death.† This was one of the many instances in which queen Elizabeth asserted the supremacy of prerogative over law in the most terrible form of despotic power — by making that which was a minor offence by law, capital by proclamation.

On the 12th of February, captain Thomas Leigh, who had served under Essex in Ireland, proposed to sir Henry Neville and sir Robert Cross ‡, a captain in the navy, that four or five resolute men should rush into the queen's presence, throw themselves on their knees, and extort from her a warrant for the release of Essex and Southampton. They immediately denounced him, — for it was the custom of the English to betray each other, says a Frenchman then in London.§ He was found, at nightfall, in a hall, open to the public, and then crowded, near the queen's supper-room. Next day he was tried, convicted, and executed! It was stated as evidence of guilt, that he made enquiries about the queen's supping, and looked thoughtful and pale. He admitted his having used some such words as those charged upon him, without purpose; his having gone to the palace, like others, from mere curiosity; his having been sent by Blount, with the knowledge of Essex, on a secret mission to Tyrone; but constantly, to the last

* Ellis's Orig. Lett. iii. 192. N. S. † Camd. Ann. 1600–1.

‡ The editors of Winwood and the State Trials say, on the authority of Camden, Crofts; but Camden says *Crossus*, and "*Crofts*" is to be found only in the translation in Kennet.

§ French letter in Winwood's Memorials, i. 296. Written by the son of the French ambassador.

moment, protested his innocence. This doubtful conviction and precipitate execution had the desired effect.* It hastened the trial and the death of Essex, by impressing the queen with the belief that, whilst he breathed, her life would be hourly exposed to the desperadoes of his faction. The 19th was assigned for the trial of Essex and Southampton.

That Essex was guilty of high treason by the law of England, and even according to the policy of the best constituted sovereignty, there cannot be a doubt. But innocence could not have saved him from the tribunal and the procedure by which he was tried. The iniquity of penal judicature in this reign has been passed over much too lightly, even by Hume, who has treated an admired reign and popular sovereign with the passionless temper of a philosopher.

Essex and Southampton were, it will be said, tried by their peers. They were put upon their trial before twenty-five lords appointed and commissioned by the crown, and without the right of challenge. Among them were Burleigh and Cumberland, who had proclaimed Essex a traitor; Grey and Cobham, his mortal enemies. The treasurer Buckhurst acted as lord steward; the two chief justices and chief baron, with five puisne judges, were present to advise in law. The indictment having been read, both pleaded not guilty. Essex added, that he did nothing but from necessity and the law of nature. Yelverton, the queen's serjeant, opened the case by a statement of great length. He compared Essex, for his associates, to Catiline; for his ambition, to the crocodile, which continues to grow whilst it continues to live. The attorney-general Coke, having defined the crime, and set forth the acts of treason proved by witnesses of the insurrection and by the confessions of accomplices, whom the queen, he said, "out of overmuch clemency to others, and overmuch cruelty to herself †," had spared the rack, charged Essex with

* French letter in Win. Mem i. 296.
† State Trials, ii. Trial of Essex and Southampton.

the further sins of popery and atheism; and ended with the brutal sarcasm *, "that he who aspired to be of the kingdom of Robert the First, should of his earldom be Robert the last." Essex, whom the confessions of his accomplices took completely by surprise, yet replied with an air of manly confidence and courage; his voice firm, his countenance cheerful.† He begged that he might be judged, not by the atrocity of Coke's rhetoric (*atrocitate verborum*)‡, but by the facts; declaring, in substance, that he resorted to armed force in self-defence, and to remove evil counsellors, naming Cecil, Raleigh, and Cobham; but without the remotest thought of violence to the queen, from which he would have defended her with his life. Cobham, rising in his place, said he never bore malice to the person, whilst he abhorred the ambition, of Essex. The earl replied, that, to remove such a tale-bearing calumniator from the queen's person, he would submit to have his right hand cut off.§ Southampton pleaded his ignorance of the law, and his having joined Essex, out of private friendship, in what seemed his private quarrel. He put it to the candour of the attorney-general, whether he believed any violence was intended to the queen. This was an indiscreet appeal to a crown lawyer — an infatuated one to Coke. "You would," says the latter in reply, "have treated her as Henry of Lancaster did Richard II.; approached her as supplicants, then robbed her of her crown and life." ‖ Bacon had to perform the odious task of exposing the weakness of Essex's defence. His rhetoric, less coarse than Coke's, was equally malicious. He compared Essex to Pisistratus and the duke of Guise; and treated as slanderous artifices of treason, his charges against the stainless characters of Cecil, Cobham, and Raleigh! Essex reminded Bacon of having written eloquent letters to the queen, in his name, against those very ministers; and declared he had

* Camden calls it "*aculeatum epiphonema!*"

† "Alacri vocis et vultus securitate, erectus et fidens animi."—*Camden* who was present).

‡ Camd. Ann. § Ibid. ‖ Ibid.

it from a privy counsellor, that Cecil said the infanta had as good a title as any other to the crown. The secretary, who was a concealed witness of the trial, instantly rushed forward, and begged of the lord steward, on his knees, that he might be suffered to defend himself. Those obsequious lords, who denied Essex the slightest courtesy, even before he was legally accused (when before the council), now stood up hat in hand to receive Cecil.* He called upon Essex to produce his authority, or submit to be considered a traducer. Essex refused, but said Southampton had also heard it. That lord being earnestly appealed to by Cecil, put it to the court and to Cecil himself, whether he could name the counsellor without a violation of honour. All declared that he might disclose the name, and he named Essex's uncle, sir William Knolys the comptroller. That officer, being sent for and examined, deposed that he merely heard Cecil say the title of the infanta was maintained in a printed book.† Essex said the matter was told him in a different manner. The secretary came off with triumph, and this accusation has been regarded as a stain upon the memory of Essex. But Cecil confessed that he had named the king of Scots, the infanta, and Essex himself, in the same category, as competitors for the succession; and it is not likely that the comptroller would speak the whole truth between a disgraced favourite under trial for his life, and a minister of state at the summit of favour and power. The appeal of Essex to Southampton, and Southampton's corroboration, are conclusive evidence that he but stated what he had heard.

Essex was prepared for the proof of what passed at Essex House and in the city. He heard with a slight shock the conspiracy at Drury House, proved against him by the written confessions of Gorges, Blount, Davis, and

* French Lett. in Win. 296. The writer describes the lords as talking, eating, and smoking, during the trial, with an utter want of decency and feeling; and particularly names the earl of Cumberland, for whose smoking it may be some excuse that he was a sailor.

† Parsons's book, under the name of Daleman.

Davers. The witnesses, by the law of England, then as well as now, should have been sworn and examined in the presence of the court and the accused; and if English jurisprudence did not admit the aid of counsel against the crown, there were present as advisers eight judges of the superior courts. Yet Gorges alone was brought forward, because his prison happened to be near.* He appeared confused and pale, whilst Essex questioned him with contemptuous bitterness. The lords, after half an hour's deliberation, pronounced the two earls guilty; and the edge of the axe, hitherto turned away, was now turned towards them. The clerk of the crown asked Essex the mournful question of form — "what he could say, why he should not have judgment of death?" He answered as one tired of life, or hopeless of it, but begged earnestly for mercy to his friend.† "I do not speak," said he, "to save my life, for that I see were vain. I owe God a death, and it shall be welcome so soon as it pleaseth her majesty."‡ The same question having been put to Southampton, he threw himself on the queen's mercy, and the intercession of his judges, with entire humility. The lord steward advised Essex to submit himself like Southampton, and merit the queen's clemency by confessing his guilt and naming his accomplices. "My lord," said Essex, "you have made an honourable motion: do but send to me at the time of my death, and you shall see how penitent and humble I will be towards her majesty, both in acknowledging her exceeding favours to my ancestors and to myself; whereby I doubt not but the penitent suffering of my death, and sprinkling of my blood, will quench the evil-conceited thoughts of her majesty against me. And I do most humbly desire her majesty, that my death may put a period to my offences committed, and be no more remembered by her highness. If I had ever perceived any of my followers to have harboured an evil thought against her majesty, I would have been th

* Camd. Ann.
† In Camd. Ann., not in State Trials.
‡ State Trials, i.

first that should have punished the same, in being his executioner: and therefore I beseech you, my good lord, mistake me not, nor think me so proud, that I will not crave her majesty's mercy; for I protest, kneeling upon the very knees of my heart, I do crave her majesty's mercy with all humility; yet I had rather die than live in misery."* The sentence was then pronounced in all its unspeakable horrors. "I am not," said Essex, "a whit dismayed to receive this sentence. Death is welcome to me as life. Let my poor quarters, which have done her majesty true service in divers parts of the world, be sacrificed and disposed of at her majesty's pleasure." † In private conversation with some gentlemen who attended him before he was taken from Westminster-hall, he reproached his accomplices with their confessions, and charged them with having been his instigators ever since August.‡ Their confessions had been obtained, by making it apparent to them that their secrets were already disclosed. Silence would, they thought, be preposterous when all was known.§‖

Essex made two requests before his removal from the bar; — that his chaplain, Ashton, might be allowed to attend him; and that the constable (lord Thomas Howard, recently appointed) and the lieutenant of the Tower, and any others named by the queen, might partake the sacrament with him, as witnesses of the sincerity of his religious faith, and declaration of innocence towards her; after which, he said, he should be ready to die. ‖ Dr. Dove, dean of Norwich, visited him, by order of the lords of the council, next morning, in the Tower ¶; urged him to repentance, and a confession of his guilt; but made no impression. He was next visited by Ashton. It would appear from a private letter to Anthony Bacon, first printed by Hearne in his accurate edition of Camden's Annals**, that

* His trial, in State Trials, i.
† State Trials, i.
‡ Cecil's Lett. Win. 300.
§ Birch, 470. Camd. Ann.
‖ State Trials; Camd.; and MS. relation, cited by Birch.
¶ Dr. Barlowe's Sermon, cited by Birch, 475.
** Ad finem partis quartæ. See also Birch, 475.

Ashton, a base and mercenary hypocrite, who had abused the religion of Essex by "a formal show of zeal," took instructions from the court how he was to act, and played his part as follows: — He found Essex cheerful and content to die; made an elaborate catalogue, full of "gall and bitterness," of his fearful sins; told him that he had dishonoured God, and offended his sovereign; that his religion was hypocrisy, and he was in his heart an atheist or a papist; that he sought to usurp the crown; that, unless he unburdened his conscience, he should carry out of the world a guilty soul before God; that he would say to him as Joshua did of Achar—'Give glory to God, and make confession to your fault.'" The unhappy earl was amazed to find, in one whom he looked for as a comforter, so slanderous an accuser; and entered into a general vindication of his motives, his associates, and his conduct. Ashton answered, that these were general speeches, and "glorious (vain-glorious) pretences," which could not be believed; that he was going out of the world; that he knew what it was to receive sentence of death here, but knew not yet what it was to stand before God's judgment seat, and receive sentence of eternal damnation; and that he should unburden his conscience of his grievous sins to him (Ashton), who was the watchman over his soul. Essex, to satisfy the "watchman over his soul" of the clearness of his conscience, and innocence of his designs, named to him "several worthy persons of religion, honour, and state," who were engaged with him. Ashton, having now attentively marked the words of the earl, said, these were great matters his lordship had opened to him; that concealing them might touch his life; and that the earl must make a full and formal confession, or he would reveal what passed, and be a witness against him! The result was, that Essex desired the presence of the lord keeper Egerton, the lord treasurer Buckhurst, the lord admiral Nottingham, and secretary Cecil, to receive his confession. They visited him accordingly on the 22d

of February, the second day after his trial. Cecil wrote to Winwood, the secretary of legation at Paris, in the absence of sir Henry Neville, an account of the interview to be shown at the court of France. Essex, according to Cecil's letter*, declared his sorrow for his obstinate denial at the bar; confessed his treasons as already confessed by his accomplices; his intention to seize the queen, and under the shadow of her authority change the government, and condemn those ministers whom he scandalously accused. All this Essex wrote down on four sheets of paper. He next exchanged forgiveness with the lord keeper, whom he had imprisoned; with the secretary, whom he had slandered, knowing his innocence; declared that he bore no malice to Cobham and Raleigh, whom he called his enemies, but knew as no other than true servants to the queen and state; and, in fine, made an humble suit to the queen, "that he might have the favour to die privately in the Tower!"

Henry IV. thought this humble suit incredible.† The whole letter is suspicious to the core, when it is remembered what was its object, and who was the writer. Camden says, that Essex, scourged by his own conscience, or by the fear of hell, with which he had been terrified by the divine, became persuaded of his doom to eternal damnation, unless he confessed the whole truth; intimated that the queen could not be safe whilst he lived; and denounced as his accomplices, several persons in England, Scotland, France, the Low Countries, and Ireland; reproached several of his accomplices, especially Blount and Cuffe, as pests to their country, and the instigators of his rebellion; entreated that Cuffe might be brought to him, and, upon his appearing, charged him as his chief instigator, and exhorted him to seek mercy from God and the queen, by confessing his sins. Cuffe merely told him, that he was a man of unsteady conduct, and had betrayed his most devoted friends.‡

* Win. ii. 299. † Lett. of Winwood to Cecil, ibid. ‡ Camd. Ann.

Two divines,—Montford, prebendary of Westminster, and Barlowe, afterwards a bishop,—were sent by the court to co-operate with Ashton in preparing him to die. Those two theologians previously agreed "to beat him down, and to wound his heart with the judgments of God; yet afterwards to raise him up again with the comfortable promises of the gospel." They found him in a state which spared the victim the torture, and the divines the cruelty, of their designed operation. Their fellow-labourer, Ashton, had already "ploughed up his heart." * Barlowe has left some strange particulars of their conferences.† Essex, he says, confessed to them that he commenced plotting on his removal from the lord keeper's house; that he wished the least possible shedding of blood, and no injury to the queen; that he thanked God for his failure, and for God's having made him an example, "to be spewed out of the land;" that "he knew the queen could not be in safety whilst he lived upon the earth;" that his crime was "a leprosy which had infected far and near;" that his partisans would become good subjects upon his death.

The letter to Anthony Bacon is unsigned, but is dated the 30th of May, little more than three months after the execution of Essex: it was not made public until the year 1717, for no other purpose than that of adding to the materials of history, and it bears strong internal evidence of truth. If it may be relied on, it is obvious that Ashton used his spiritual character to terrify and inveigle Essex into a discovery of his accomplices and friends. The suspicion, at the same time, cannot fail to suggest itself, that the four counsellors of state, and the three divines, combined to work upon the sincerity of his devotion and his unhappy facility of persuasion. Can it be supposed for a moment, that the request to die privately in the Tower was his own thought, and not the suggestion of others? A proud

* Barlowe's Sermon, cited by Birch, 475.
† Sermon, before cited.

spirit might revolt at the idea of being, in death, a spectacle to the rabble; an ambitious spirit, deceived in its hopes of the people, might choose death in private, from disdain of the populace: but the spirit of Essex was completely broken down. The pretence put forward was, that he feared the presence of the people might distract his mind from his devotions. Would not a religious and repentant mind, intent, moreover, as Essex was, to convert his accomplice Cuffe, have sought the occasion of a conspicuous example and salutary warning? On the other hand, the public execution of one who was a popular idol must have been contemplated with violent aversion and dread of the consequences by his enemies and the court. The rhetorical abhorrences of his crime; his accomplices, and his cause; the phrases of "infectious leprosy," and being "spewed out of the land;" the declaration that the queen could not be safe whilst he lived, and that his death would convert his partisans into good subjects; were palpably calculated to give the queen a frightful impression of the criminality of his designs—to impress her with the notion that his life would be death to her—and thus to ensure and hasten his execution. It is not meant to be conveyed, that his confession was absolutely falsified, but that the suggestions and phrases of others were artfully made his by suggestion and acquiescence. His spiritual comforters doubtless searched his conscience by interrogatories. Every body knows how, in a judge's notes of evidence, where the answers only are recorded, the language of the counsel is put into the mouth of the witness—and the effect. The situation of Essex, and the sacred character of ministers of religion, might be expected to make worldly interests and passions yield for once to common humanity and the fear of God. But the fact is, unhappily, frequent and notorious, where conspicuous state criminals, on the eve of death, are attended by divines, that the spiritual character is used only to promote the interests of an order or a sect, by extorting assent to a dogma, — or the interests of the individual divine, by

prostituting the sanctity of religion and the name of God to the intrigues or vices of those who can dispense ecclesiastical wealth, pomp, and power.

Essex remained some days in the Tower, under sentence of death. The queen, meantime, appeared agitated and unresolved, between, it was supposed, her lingering or renewed affection, and her indignation at the contumacy with which he disdained appealing to her mercy. She placed the warrant for his execution in the hands of Mr. Edward Carey, and revoked it. It would be a sad view, not so much of Elizabeth, as of human nature, to suppose that she could send to the scaffold, without a pang, one who once was the object of her favour and fondness: but her irresolution might still be a mere pretence. She knew his practices in Ireland with Tyrone; the full extent of his intrigues in Scotland with James: she was taught to look upon his life as incompatible with her safety; her peculiar temper must have made her regard his life as dangerous to what she regarded with still more jealousy —the popular homage and her power. These were crimes unpardonable in the eyes of such a sovereign. Essex knew he had sinned past forgiveness, and, therefore, made up his mind to die. It could not have been pride, for he implored her mercy at the bar when he received sentence of death. So far from being actuated by disdain or haughtiness, he appears to have been reduced to pitiable self-abasement.

Whence, then, the queen's apparent vacillation?

Inexorable in her resentments, as she was inconstant in her affections*, she studiously sought, through her reign, the reputation of clemency. Her clemency and beauty were the common themes of that nauseous flattery which she accepted from her courtiers and all who offered it. In justice to her, it should be added, that her affectation of mercy had sometimes the effect,

* Osborne, Deductions from the History of the Earl of Essex, &c.

if not the merit, of that touching virtue. She practised as a wise policy that which others indulged from sentiment.

Essex, then, was no less doomed in the bosom of Elizabeth, when she revoked the warrant given by her to Carey, then when she finally placed it in the hands of Darcy.* On Ash Wednesday, the 25th of February, the lieutenant of the Tower bade him prepare to die that day. Between seven and eight† in the morning, he was brought out for execution, guarded by the lieutenant of the Tower, with a dozen partisans of the Tower guard, and attended by the divines already named. The scaffold was erected in the court within the Tower; but there were present about 100 lords, knights, and gentlemen‡: among them was sir Walter Raleigh, to answer, as he declared, any imputation upon him by Essex; but, as it was believed by others, to feast his eyes with the death of an enemy. It was intimated to him, that to disturb by his presence the peace of a dying man was savagely inhuman§; and he retired to the armoury, from the window of which he beheld the execution unobserved. The earl, having mounted the scaffold, saluted the spectators, made them an address full of repentance, piety, and humility; forgave his enemies, the world, and the executioner; uttered a short prayer; placed his head on the block; and had it severed from his body by three strokes, the first of which deprived him of sense and motion.||

* The unsteadiness of her hand, from her agitation, is said to be manifest in the signature to the warrant. A fac-simile from the original, in the possession of the late marquis of Stafford, given in Park's edition of Horace Walpole's Catalogue of Royal and Noble Authors, exhibits no more than the common change of character in advanced age, when compared with her earlier signatures—that, for instance, engraved in the State Papers of sir Ralph Sadler. The lines are firm, as if deliberately written, and the flourishes, called "paraphes," then in use, are exact and free.

† MS. relation, cited by Birch, 482.

‡ MS. relation, &c.

§ "Quod ignobilium est ferarum."—*Camd. Ann.* Camden, an honest but a servile writer (if honesty and servility be not incompatible), and writing under the eye of James I., may be suspected of injustice to Raleigh.

|| Birch, ii. 484.

Thus died Robert Devereux, earl of Essex, in his thirty-fourth year; the most brilliant personage of his country in his time; the equal of sir Philip Sidney in accomplishments, perhaps in genius, his superior as the friend of religious toleration in an intolerant age. He was beloved by the puritans, to whose opinions he was inclined; "he was acceptable," says Carte *, "to the catholics, for his extreme aversion to the putting of any body to death on account of religion." What a trait in the character of the nation and the age, is the implied contrast! It was urged as one of the heaviest charges against him, before the council, and on his trial for treason, that he would give public toleration to an idolatrous religion in Ireland. This was not only uttered by the lawyers, but heard by the judges with pious horror.† Thus false is the plausible and hackneyed sophism, that, in the reign of Elizabeth, Roman catholics were punished as traitors, and not as idolaters. In his views for the government of Ireland, he anticipated the progress of justice and reason by centuries. He would achieve "pacification" by "composition," rather than "by the sword."‡ — "The Irish," he said, "were alienated from the English as well for religion as government." § He would overcome this alienation by toleration in the one, and an improved system in the other. In his secret confederacy with Tyrone, he contemplated not only the advancement of his own designs, but to bind Ireland to England by the great body of the nation, not by the colonial nucleus of the pale — in short, he anticipated by three centuries the principles which were advocated, from a sense of justice and love of freedom, in 1806, by Fox and Grey, and carried into effect, from a wise and fearless policy, in 1829, by Wellington and Peel. He loved and cultivated literature, and was familiar with the an-

* Gen. Hist. book xix.

† See the proceedings in Camden's Annals, Bacon's Works, Birch's Memoirs, and the State Trials.

‡ His letters, cited by Birch. § Ibid, 399.

cients. His Latin letters, written from Cambridge when a student, and to Antonio Perez after his rise at court, are characterised by simple elegance and facility. The study of the classics, instead of making him one of the pedants of the age, purified his taste. His apology and letters are eloquent, with a natural ease and simplicity of style, which it would be vain to seek in his most eminent cotemporaries. He was proud and passionate, but placable and kind, and wholly free from the haughtiness or insolence of court favourites. He was a stranger to adulation and duplicity — those indigenous arts of courts; he manifested with equal frankness his likings and his aversions; he went with his bosom and his face uncovered, among enemies who wore the dagger and the mask. It has been said, that, spoiled by the queen's favour, he abused her indulgence; and even that his behaviour was systematically overbearing, from a notion that it was the true way to manage her. Of all this, the two chief witnesses are, Elizabeth speaking in her own case, and Bacon writing in his own defence.* There is no trace of it in his letters — even in those written from Ireland, in which he indulges only the impatience of complaint. Two acts of disobedience, and one of disrespect, are on record against him; — his remaining in France when she commanded him to return; his returning from Ireland when she ordered him to remain; the movement of discontent, which she avenged on the instant by a box on the ear. These acts do not prove him a spoiled court favourite. It is most likely that a person of his temper endured with some impatience her untimely and inordinate vanity, and with some disgust the endearments of one "whose amorous caresses," says Osborne, "age, and, in a manner, an universal distribution of them, had by this time rendered tedious, if not loathsome."†

Those who have moralised upon his crime, seem to

* Lett. to the Earl of Devonshire. Works, iii.
† Mem. of Elizabeth (in Works), 371. 1673. 8vo.

have confounded, as it is common, crime with failure. His ambition was high-soaring, and irregular, rather than guilty. His purpose was to remove evil counsellors — in short, adversaries; and call, in the queen's name, a parliament, which should oblige her to declare her successor, and give himself the direction of her councils for the remainder of her life. Englishmen were still too near those times when turbulence was habitual, and violence a common resource, to be much shocked by his employing force. He was accused of designing, by means of his intended parliament, to change the government. He assuredly would have corrected its abuses, which were many. Raised by the commons, he would have raised the commons in his turn. Sincerely religious, but enlightened and humane, he would have deprived religious persecution of its fangs. Whether, on the queen's death, he would abrogate the succession, and mount the throne, was once a subject of discussion; it would now be a matter of idle speculation. Essex joined with his ambition, in an unparalleled degree, the elements and means of success — in his talents and character; in the favour of the people; and, what was still more valuable, of the military *; in the young nobility and gentry, who encompassed him from affection; in the discontented and adventurous of every class, who were at his service from interest and their hopes. Why, then, were his designs so easily defeated? From his want of decided purpose, and force of will. He was ambitious and scrupulous, and could neither renounce his projects nor pursue them. He was rash and violent, but without impetus; and, with his rashness, violence, and capacity, he was easily led. He was, in fine, a man of high endowments and generous affections, but deficient in character. He was weak. Hence the deplorable want of purpose and preparation in his revolt, if it deserves the name; hence that which is still more

* Sir William Browne, who commanded the English garrison at Flushing in the absence of sir Henry Sidney, thought it prudent, on the arrival of the news respecting Essex, to call the officers together, and administer to them an oath of fidelity to the queen. Sid. Lett. ii.

deplorable—the perverted conscience and scared imagination, which made him betray to the vengeance of an incensed sovereign, and the merciless policy of her council, friends who had compromised themselves only for his sake.

Among the friends denounced by Essex in his confession, were sir Henry Neville and lord Mountjoy. The former went to Drury House, unconscious of the purpose for which he was invited; rejected the overtures made to him, but concealed them from a sense of honour; fell into what lawyers call misprision; was arrested on his way to the court of France, and kept a prisoner, in the Tower, until the death of Elizabeth.* Mountjoy was more deeply engaged. Whilst still in London, after his appointment to the government of Ireland, he promised to come over when required with 4000 chosen men, to support the claim of the king of Scotland to be declared the queen's successor; but, upon going to Ireland, and opening the campaign, he twice refused to fulfil this promise†, and continued his military operations with great vigour and success. Elizabeth, by one of those traits which show how well she understood and how worthy she was to exercise the art of government, affected ignorance of his offence, allowed his timely retreat and faithful services to atone for it, and continued to him her confidence and his place.‡ Southampton was reprieved during the queen's pleasure, and continued to her death a prisoner in the Tower. "His pardon," says sir Henry Wotton, "was obtained by inches." § Blount, Davers, Davis, Cuffe, and Merick were convicted of treason; the three first upon their confessions, in which each disclosed the guilt of his associates with his own. They may have been good

* Cecil said, that the first intimation of the meetings at Drury House was given by Neville. But he denies, in his "Case" (in Winwood's Memorials), that he made any discovery; and his long imprisonment is a presumption that he did not.

† Confession of Davers, from the Hardwicke MSS. cited by Birch, 470.

‡ Mountjoy had made up his mind to fly to the Continent, "being fully resolved," says Morryson, "not to put his neck under the file of her majesty's attorney-general's tongue."

§ Reliq. Wot.

soldiers, but they were wretched conspirators. Davis was spared; the others executed. Littleton was tried and convicted on the confession of Davers, with sir Edward Bainham, and an old soldier named Orell. The two first ransomed their lives, by giving large sums of money to sir Walter Raleigh; and the last was spared.* The remaining prisoners, who surrendered themselves at Essex-house, were pardoned; Gorges was not tried, —no weak presumption that he was the informer.

There remains another great criminal implicated in this affair, but only in his fame, and before the tribunal of posterity,—Francis Bacon. Essex was more than a court patron to him—he was a benefactor and a friend: he solicited the promotion of Bacon from the queen and the keeper Egerton, with an earnest, fervent, persevering zeal; and when disappointed through the jealousy of Cecil, as Bacon has insinuated †, or through the hatred of Coke, who said he knew nothing of law ‡, made him a present of Twickenham park. Bacon told him, that, like the duke of Guise, he was laying out his estate in obligations to his friends, and bade him beware of bad debtors. § He soon verified his own prophecy, by appearing against his generous benefactor before the council and at the bar of the lords, and by drawing up that most defamatory pleading against his memory, —"the declaration of the treasons of Robert earl of Essex." || Bacon waited the queen's death to write and publish his apology: it is addressed to Mountjoy, become earl of Devonshire.¶ His defence may be reduced to the good advice with which he repaid the bounty of the earl; his having employed many artifices of wit and flattery, in prose and verse **, to assuage the queen's resentment; the assertion that his draft of the "declaration" was altered by others, and the most of-

* Lyttleton soon died in prison.
† Letter to Villiers, on sending his patent of viscount.—Works, v. p. 440.
‡ Lett. to Coke, v. p. 294.
§ Lett. to the Earl of Devonshire, Works, vol. iii.
|| Bacon's Works, iii. ¶ Id. ibid.
** He addressed, he says, a sonnet to her, in favour of the earl, upon her making him a visit.

fensive expressions dictated by the queen herself. Barlowe, by the queen's orders, preached a sermon "on the death, the treasons, and confessions of the earl of Essex," at St. Paul's cross. The "sermon" and the "declaration" were published by command: the people received both with disgust*; and both are stigmatised as "pestilent libels on the fame of Essex," by lord Clarendon.† Did she who sanctioned the slanders of the divine, and infused venom into the defamations of the lawyer, whilst the blood of Essex was still fresh upon the scaffold, hesitate from love or pity to sign the warrant for his death?

* Birch, 479. note k.
† Reliq. Wot. Difference and Disparity between Robert Earl of Essex, and George Duke of Buckingham.

CHAP. III.

1601—1603.

MISTAKE OF ELIZABETH. — INTRIGUES OF CECIL. — SCOTCH EMBASSY. — MARR AND KINLOSS. — LORD HENRY HOWARD. — MEETING OF PARLIAMENT. — PROCEEDINGS. — RECUSANCY. — PROFANE SWEARING. — BASKET JUSTICES. — PLURALITIES. — MONOPOLIES. — TUMULTUOUS DEBATES. — ELIZABETH'S LAST SPEECH TO HER PARLIAMENT. — TRANSACTIONS WITH FRANCE. — VISIT OF SULLY. — HIS MEMOIRS. — SUPPOSED PROJECT OF HENRY IV. — CHARACTER OF HENRY. — FATE OF BIRON. — HIS CHARACTER. — SPANISH INVASION OF IRELAND. — D'AGUILAR. — TYRONE. — MOUNTJOY. — CAREW. — O'SULEVAN. — NAVAL EXPEDITION. — LEVESON. — MONSON. — SPINOLA. — DIVISION AMONG THE CATHOLICS. — GOVERNMENT AND GLORY OF ELIZABETH. — HER DECLINING HEALTH. — ITS SUPPOSED CAUSES. — A SUCCESSOR TO ESSEX PROPOSED TO HER. — CLANRICARDE. — THE STORY OF THE RING. — HER LAST ILLNESS. — DEATH, AND CHARACTER. — HUME. — MR. HALLAM. — MR. BRODIE. — AGE OF ELIZABETH. — LITERATURE. — THE FINE ARTS.

THE execution of the earl of Essex was one of the few mistakes of policy committed by Elizabeth: his death produced the results which she apprehended from his life. Her ruling passion, from female vanity and a despotic lust of power, was to command the unclipsed and exclusive homage of her subjects. The dead Essex could no longer divide with her the favour of the people; but her popularity descended with him to the tomb. He could no longer constrain her to declare her successor, and give himself the chief direction of her counsels; but Cecil, relieved from the only antagonist who could alarm him, took up the very thread which had dropped from the hand of Essex, employed the same agent in 1601.

his secret correspondence with James*, and henceforth swayed her counsels chiefly with the aim of securing the favour of her hated successor. Elizabeth discovered her mistake in time to repent, but too late to repair it. Cecil had now a complete ascendant; there was no rival whom she could oppose to him; the vigour of her character was exhausted; she discovered at last that she was desolate and old.

Sir Henry Leigh had been despatched by Essex on two secret missions to the king of Scotland: the first, before his government of Ireland, to dissipate the vain rumours of his aspiring to the crown—the second, and more important, after his return from Ireland to offer James, from himself and Mountjoy, their armed support of his claim to be declared successor, and their advice that he should demand it of the queen by a special embassy.† The reasons urged by the two earls for a proceeding so decisive, have not come to light; but they may be inferred from a letter addressed by Cuffe, after his condemnation, to secretary Cecil, printed for the first time in the Hardwicke State Papers.‡ It contains the instructions prepared by Essex for the earl of Marr, whom he expected as ambassador from James. They are to this effect:—That the king his master besought her majesty to declare his right of succession, not from any doubt of her intentions and affection, but because persons hostile to his title, and in the interest of the infanta, possessed her confidence, and had in their hands the resources and defences of the kingdom: for instance, Raleigh was governor of Jersey, where he might give the Spaniards harbour; Cobham had the cinque ports, the key of the realm; Buckhurst, the treasurer, commanded the nerves; Nottingham, high admiral, commanded the walls of the realm; and both were

* Lord Henry Howard.

† Confession of Davers, in Birch, vol. ii. p. 470., &c. from the Hard. MSS.

‡ Hard. State Papers, i. 372. There is an inaccuracy in the title. It was intended only to be delivered to the Scotch ambassador, who did not arrive till some time after the death of Essex. The editor remarks that it escaped Dr. Birch. It was evidently seen by Camden, who doubtless had it from Cecil, and makes a disingenuous use of it.

devoted to secretary Cecil, who had given the government of the northern districts of England to his brother, and the government of that province of Ireland (Munster), where he could best promote the Spanish designs, to his creature sir George Carew. The ambassador was to prove their malice to the king of Scotland, and their friendship to the king of Spain, by the following among other reasons:—

"That some of them had given a direct proof of their ill affection by ill offices.

"Because all their counsels and endeavours tended to the advancement of the infanta of Spain to the succession of this crown.

"Their continual and excessive commending of the excellencies of the infanta, and seeking by all means to breed, both in her majesty and in all others, an extraordinary good opinion of her.

"Their earnest seeking to revive the treaty lately broken, notwithstanding it was interrupted by the Spaniard, not without some disadvantage offered to the crown.

"The speech of the principal councillor (and, as I (Cuff) remember, he said it of your honour) to an honourable personage, that he knew there could be no sound peace made betwixt us and Spain; yet, for the better compassing of some purposes, he could be willing to entertain the treaty again." *

Cecil had an accredited agent and other emissaries about James.† The queen, therefore, was apprised of the last commission with which Essex and Mountjoy had charged Leigh; and he was imprisoned on his return.‡ James accepted eagerly the overture of the two earls; but his violence and want of scruple in all his wishes were controlled in this, as in so many other instances, by the greater violence of his fears; and he charged Leigh with a dilatory answer.§ He, however, made up his mind to

* Hard. State Papers, i. 374.
† See letter of Nicholson, in Birch, vol. ii. 508, 509.
‡ Full confession of Davers in Birch, ut suprà. § Id. ibid.

send as ambassadors the earl of Marr and Edward Bruce, called abbot of Kinloss, who were about to set out when news arrived of the insurrection and failure of Essex.* James apprehended the discovery of his intrigue, trembled at the resentment of Elizabeth, asked anxiously whether his name was mentioned†, and at last despatched his ambassadors. They arrived in London on the 6th of March, ten days after the execution of the earl, to congratulate the queen upon her escape from a rebellion so providentially defeated‡, to acquit him of dealing with the pope and the king of Spain, and to solicit an increase of his yearly allowance.§ Elizabeth received his congratulations as insincerely as he offered them||, increased his pension by 2000*l.* a year, affected ignorance of his secret confederacy with Essex, and imagined herself now secure from his intrigues or influence. It was a false security.

James must have been apprised of the condemnation of Essex, which took place on the 19th of February, before he despatched ambassadors, who arrived in London on the 6th of March. He yet gave them this secret instruction:—"And gif thay (his "friendis," as he calls them) be resolvit that they lakke nothing bot a heade to enter in plain action with it, assure thame I sall be as willing and reddie to supplie that place as they can be to desire me; onlie with that aulde reservation of the safetie of the queenis personne." In a letter dated the 8th of April¶, he has, after all this, the effrontery to charge them to demand of Elizabeth "a plaine declaratoure," as he writes, "quiche must be enacted in her ain recordis, that I am untouchit in any action of practice that ever hath bene intendit against her, espesiallie in this last!" His further instructions were, in substance, to deal with the queen publicly for present objects — with the people privately for future objects; to ask a more

* Letter of Nicholson, ubi suprà. † Ibid.
‡ Camd. Ann. Lett. of Cecil, in Win. Mem. vol. ii. p. 324.
§ Lett. of Cecil, in Win. Mem. vol. ii. p. 324. (This is suppressed by Camden).
|| Note of Instructions, &c., in Birch, vol. ii. p. 510. ¶ Birch, ibid

liberal allowance, and the lands of his grandmother; to demand a renewal of her old promise that she would do nothing to prejudice his future right*; to make a party for him; and at the same time to pay especial court to "maister secretarie, quho is king thair in effect." The ambassadors having prepared the way for the secret correspondence which followed between James and the secretary, returned to Scotland. Lord Henry Howard, better known by his title of Northampton, in the next reign, had his share in originating, as in conducting those communications. He was in favour with James as the friend and agent of Essex, and, on his execution, or sooner, went over to Cecil! What a focus of ambition, intrigue, perfidy, base sentiments, and base arts is a court! But corruption is not at its worst, whilst the sovereign, unreached by it, maintains a high and controlling position. Elizabeth so reigned. Her unworthy successor mingled in the game — he even played the meanest parts — and corruption came to a fatal term.

The death of Essex was the last domestic event of importance in this long and memorable reign. England, according to Cecil, was never quieter, and never prince more admired than Elizabeth for her clemency and justice.† The Scotch ambassadors, with much more truth, represent the people as offended and alienated by her putting Essex to death.‡

Elizabeth issued writs for the meeting of parliament on the 27th of October. It was the last of her reign, and the records are unusually copious. The commons, not in the best temper, received an affront at the opening of the session. They hastened to the house of lords, upon receiving notice that the queen was there;

* "Nor no checce," says James, "under cure [meaning cover, perhaps] reservit against me, exceptit allwayis, if she be not to endure as longals the sunne and the moone." This elaborate composition of James, given at full length from a MS. in the advocate's library at Edinburgh, by Birch (ii. 510—513.), is curious, as a specimen of the written language of educated persons in Scotland at the time, and of the shrewd meanness of the writer's understanding.

† Lett. to Win. Mem. vol. ii. p. 318.

‡ Birch, vol. ii. p. 510.

but the lords' door was closed when (with the exception of some few) they arrived, and was kept closed against them, until the lord keeper had finished his speech. It proved, or rather was represented to be, a misunderstanding of the ushers. Croke, then recorder of London, was elected speaker, and approved by the queen.* She granted the usual liberty of speech, that is, with the usual check—that they were not to indulge in "froth and volubility of words," or "gain repute by emboldening themselves to contradiction."† A bill relating to bishops' leases, proposed in the last parliament, was brought in, and again rejected. Its object is not precisely stated‡, and it is noticed only for the purpose of observing, that no question was raised as to the right of parliament over church property; that it was opposed merely as inexpedient.§ Two bills were brought in for the promotion of morals and religion—one imposing a fine of ten shillings for profane cursing and swearing, the other providing for the better enforcement of attend-

* Croke, in the course of his speech, said the peace and prosperity of the kingdom was secured by "the mighty arm of our dread and sacred queen." Upon which Elizabeth, interrupting him, said, "No; but by the mighty hand of God, Mr. Speaker."—*Parl. Hist.* i.

† Keeper's speech, Parl. Hist. i.

‡ An expression of Mr. Boise's (see end of next note) would intimate that the fines were to be placed at the disposal of the crown.

§ The following is the speech of Mr. Boise, whose opposition caused its rejection:—

"That this act would be prejudicial to the bishop present and the successor, to their servants, and to the bishop's own servants and tenants. To the bishop present, in the maintenance of his estate, which cometh only by continual fines; which if they be taken away, then are they not able to maintain that hospitality, and keep that retinue, either belonging to their place or answering to their living. For, consider the revenue of the greatest bishopric in England, it is but 2200*l.*, whereof he payeth for annual subsidies to the queen, 500*l.* And what damage we shall do both to him and his successor herein, his revenue being so beneficial to her majesty, I refer to all your judgments. To the successor it must needs be more hurtful; for when he first cometh in, he payeth first fruits, and yet is not allowed to make his benefit by fines, which all bishops' farmers are content to do; so that he is cast one whole annual value behindhand, and perhaps hath no power neither to make leases in twelve or sixteen years. This, Mr. Speaker, will induce the ministers of the word not to seek bishoprics, whereby we may bring the clergy both to poverty and contempt, from which they have ever been carefully defended and provided for, even by the most ancient statutes and laws of this land now extant. Hurtful it is to their servants, for this may be every man's case. We know very many good gentlemen's sons serve bishops; and how can they reward their long and faithful services, but only by means of granting over of these fines, or some other means out of their spiritual function? But this act is good for the courtier, and I may speak no more of that point."

ance at church. Both bills were discussed in committee, but neither passed into a law. It may be presumed, from the support of Knollys the comptroller, a friend of the puritans, that it was directed against Roman catholic recusants; and, from an expression in his speech, that the object was to supply the queen's exchequer, not to fill the churches:—"The old statute," says he, "gives the penalty—this new, only speedier means to levy it." Elizabeth made a revenue of licences to catholic recusants, as the pope did of indulgences: it amounted to 100,000 crowns a year.* Dr. Bennet, a civilian, vouched on his credit, that in Yorkshire there were 1500 recusants presented to the ecclesiastical court, or the council, at York. The bill against profane swearing was opposed on the ground that "it was a thing moral, and touched the soul, and therefore fitter to be spoken of in a pulpit than in parliament;"—that relating to attendance at church, as an unseasonable aggravation of the existing penal acts, after a lapse of forty-two years since the first act of uniformity, and as a reflection upon the bishops and other clergy, who, it would be said, had preached away their congregations and then called for pains and penalties. Both bills were strongly opposed because they would be executed by justices of peace, who were generally and notoriously corrupt. "The poor commonalty," says Mr. Bond, "whose strength and greatness is the strength and greatness of us all, they only shall be punished, be vexed; for will any think that a justice of peace will contest with as good a man as himself? No; this age is too wise."† A justice of peace was defined as follows by Mr. Glascock:—"A living creature, that for half a dozen of chickens will dispense with a whole dozen of penal statutes."‡ The

* Carte, b. xix. 702.

† The proceedings on these bills for promoting morals and piety would bear a curious and not useless comparison with some parliamentary proceedings at this day.

‡ The continuation of his speech is an amusing and graphic sketch of character and manners:—"We search and ingross; they retail. These be the basket justices, of whom the tale may be verified of a justice that I know, to whom one of his poor neighbours coming, said, 'Sir, I am very

close of the debate on the recusants bill became personal and disorderly. Popery and atheism were broadly insinuated by its supporters against their adversaries. Sir Walter Raleigh was reproached with a large conscience, and narrowly escaped being called to the bar for avowing that he had pulled a member by the sleeve to prevent his voting on the other side. The division against the bill was 106 to 105. Sir Robert Cecil said the member pulled by his sleeve was like a dog in a string; and "the house," says the journalist, "rose confusedly."*

A supply of four entire subsidies, and eight fifteenths and tenths †, was voted without opposition; and a grant of four subsidies, of four shillings in the pound, by the clergy, confirmed. The rebellion in Ireland, aided by the king of Spain, was the chief ground upon which this large supply was called for by the queen. The commons manifested some sense of their dignity, irritated by the exclusion from the house of lords. Cecil was called upon to recapitulate the speech of the lord keeper for the satisfaction of those who were shut out; and sir Edward Hoby rebuked sir Walter Raleigh for addressing the house sitting. It was a distinction affected by privy counsellors, and encouraged by the queen, who said they were not to be regarded as ordinary members.

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highly rated in the Subsidy Book; I beseech you to help me.'—To whom he answered, 'I know thee not.'—'Not me, sir?' quoth the countryman; 'Why, your worship had my teem and my oxen such a day, and I have ever been at your worship's service.'—'Have you so?' quoth the justice; 'I never remembered I had any such matter; no not a sheep's tail.' So, unless you offer sacrifice to the idol justices of sheep and oxen, they know you not. If a warrant come from the lords of the council to levy 100 men, he will levy 200; and, what with chopping in and crossing out, he will gain 100*l.* by the bargain. Nay, if he be to send out a warrant upon a man's request, to have any fetched in upon suspicion of felony, or the like, he will write the warrant himself, and you must put 2*s.* in his pocket as his clerk's fee (when, God knows, he keeps but two or three hindes), for his better maintenance. Why, we have had here five bills—of swearing, going to church, good ale, drunkenness, and .... This is as good to them as if you had given them a subsidy and two fifteenths. Only in that point I mislike the bill; for the rest, I could wish it good passage."

* Sir Simon D'Ewes.

† It may be right to state, that the levies were made by fifteenths upon lands, by tenths upon towns; and that the word fifteenths is often used as comprising both.

Cecil waved the privilege; "Because," said he, "it is an argument of more reverence, I choose to speak standing." He then stated, that since the earl of Essex went to Ireland, the queen's expenditure was 300,000*l.*; that the vote of the last parliament, with that of the clergy, produced only 160,000*l.*; and the queen, therefore, was 140,000*l.* in arrear.* It appeared that she had met the deficiency by loans† from her subjects. One member proposed that the large supply just voted, should be declared, in the preamble of the bill, an extraordinary grant, not to be drawn into a precedent; and another intimated to the privy councillors, that the house expected a redress of grievances before they were dismissed. It was upon this occasion that serjeant Heyle said, "he marvelled the house should stand upon conditions, when all their lands and goods were the queen's." The whole house "hummed," or laughed; the serjeant threatened to cite precedents "from Henry III., John, and Stephen;" and the house coughed him down. This incident has been raised to un merited importance. The dictum of the serjeant has been relied on, to show that the government of Elizabeth was regarded as one of unlimited prerogative; and the laughter with which it was interrupted, has been construed into a proof of constitutional liberty. But the position laid down by the prerogative lawyer would apply only to the pure despotisms of the East, where the sovereign is the sole owner—where possession and inheritance take place only by his sufferance. Such a pretension would have been repudiated in France, or in any monarchy recognising what Montesquieu calls fundamental laws, of which the most sacred is that of property. This incident, then, fails to prove the government

* "First, the last whole subsidy, after the rate of 4*l.* lands, and 8 groats goods, came not to above 80,000*l.*; the subsidy of the clergy, 20,000*l.*; the double fifteenths, 60,000*l.*; all which is 160,000*l.* Since my lord of Essex's going into Ireland, she hath spent 300,000*l.*: so the queen is behind 140,000*l.*"

† Forced loans upon her privy seals. She paid them with an unusual degree of good faith, though not with exact punctuality.

of Elizabeth either as despotic as that of Turkey, or less arbitrary than that of France.

"This parliament," says lord Henry Howard, "hath no other scope nor object than the subsidy, though it treat of other matters *obiter;* but chiefly of pluralities among the priests, and monopolies among the laity.* The bill against pluralities did not pass into a law, but some of the facts and arguments may be worth notice in passing. There is something instructive as well as curious in a comparison of the aspects under which a given question is viewed by one generation, and, after the lapse of ages, by another. The reasoning upon pluralities in the sixteenth, was, in substance, the same as in the nineteenth century. In their defence, it was urged by Dr. Crompton, a civilian, that pluralities were necessary to meet the additional expenses to which the clergy were subjected by marriage; that the spirituality were as well entitled to plurality of benefices as the laity to plurality of offices; and that the house should begin by taking away the latter. — "The similitude," says Mr. Locke, "of offices and benefices made by the doctor, doth not hold under favour; for 'non est incipiendum cum laicis sed incipiendum a domo Dei.'"— Dr. James stated as a fact, that, of 8800 and odd parishes in England, only 600 afforded "competent living for a minister." This assertion would lead to one of two conclusions — the low scale of farming industry and produce, or else the very moderate ratio at which tithes and other clerical dues were then levied. The doctor followed up his fact, by arguing that poverty was much more likely to corrupt the church than pluralities; "Because," says he, "corruption is commonly where poverty is;" and that poverty, breeding both corruption and contempt, was "dangerous and odious unto divinity." Mr. Waterhouse stated as another fact, "that commonly the most ignorant divines of this land be double-beneficed;" and serjeant Harris warned the

* Sec. Corr. of Sir Robert Cecil with James, 25.

house to remember the queen's orders in the last parliament, not to meddle with her prerogative; and that her majesty, moreover, "though the bill passed into a law, might tolerate pluralities by a non-obstante." This and other discussions in the course of the queen's reign suggest the remark,—that the right of parliament over matters ecclesiastical was questioned, not as between parliament and the church, but as between parliament and the prerogative.

The old and flagrant grievance of monopolies came next. A bill on the subject was brought in by Mr. Lawrence Hyde. It was entitled, "An Act for the Explanation of the Common Law in certain Cases of Letters Patent." The very title questioned and limited the prerogative; and accordingly the privy councillors and other courtiers urged that the house should proceed by petition. "For the prerogative royal of the prince," says Bacon, "for mine own part I ever allowed of it, and it is such as I hope shall never be *discussed*. The queen, as she is our sovereign, hath an enlarging and a restraining power: for by her prerogative, she may first set at liberty things restrained by statute law, or otherwise; and, secondly, by her prerogative she may restrain things which be at liberty." * Dr. Bennet said, that he "who went about to debate her majesty's prerogative royal, had need to walk warily." Even Hyde, the mover, exclaimed, "Far be it from this heart of mine to think, or this tongue to speak, or this hand to write, any thing in prejudice or derogation of her majesty's prerogative royal."—"We know," says sir George Moore, "the power of her majesty cannot be restrained by an act; why, therefore, should we thus talk?" The grievance, however, was intolerable: several members stated the vexations suffered from the substitutes, as they were called, of the monopolists †;

* The speaker of this speech calls himself "the queen's attorney-general." Coke's name, and not Bacon's, should, perhaps, have been prefixed to it. The doctrine has been broached by him, not only in his pleadings, but in the Institutes.

† See Mr. Spicer's speech, Parl. Hist. vol. i. ann. 1601.

and the bill was committed. Monopolies were reprobated rather than discussed on that and the two following days. Sir Edward Hobby said salt had been raised by the patent from 16*d.* to 15*s.* a bushel. Sir Robert Wroth went through a list of exclusive patents upon articles of necessity, from cloth and leather to dried pilchards and ox-shin bones. Mr. Hackwell stood up, and asked, "Is not bread there?"—"Bread, bread?" quoth one; "Bread?" quoth another. "This voice seems strange," quoth a third. "No," quoth Mr. Hackwell; "but if order be not taken for these, bread will be there before the next parliament."* Secretary Cecil, in opposing the bill,—even to the form of proceeding by bill,—said, that a case cited from the 10th Edward III. might be true, *for then the king was afraid of the subject;* quoted from Bracton, "*prærogativam nostram nemo audeat disputare;*" and rebuked the speaker for acting contrary to the queen's charge in receiving such bills! The committee separated without making any step in advance: the house met again next day, and a scene of disorder followed. Secretary Cecil said that, during twelve years' experience, he never witnessed such confusion: such crying and coughing down was, he said, more for a grammar-school than a court of parliament. This rebuke gave offence; and he thought it prudent, next day, to volunteer an apology for it.

It is observable that, through these discussions, those who most vehemently complained of monopolies —they even who would proceed by bill, and not by petition — professed to regard the queen's prerogative as unlimited and intangible. How are their professions to be reconciled with their proceedings? Perhaps by applying to them that which has been said of a catholic prince in reference to the pope,—they would tie the hands, whilst they kissed the foot, of the prerogative. But the admission of such men, in words, that the queen's prerogative could neither be circum-

* Parl. Hist. from D'Ewes's Journal, ann. 1601.

scribed nor questioned, is proof irresistible, that political liberty was not then a known right, or a popular or prevailing sentiment; and that Elizabeth was an absolute monarch, according to the received opinion, or fashion, of the time.

The tumultuous discussion above alluded to, took place on the morning of the 24th of November. During the evening, Elizabeth and her council took the alarm; and on the following day the speaker acquainted the commons that he had been sent for by her majesty, who charged him, in terms the most gracious, to inform the house that the patents should be revoked, with the exception of some which should be suspended until their validity was determined by a trial at law. This, assuredly, was a grand point gained, not in the mere redress of the grievance *, but in the homage rendered by prerogative to the law of the land. It would appear, however, from the speaker's rehearsal of the queen's speech to him, that she particularly guarded against being supposed to concede to the commons. She would have it understood that she was influenced partly by intimation of her council, partly by divers petitions presented to her on her way to the chapel and to walk; but, above all, by her affection for her people, which was so strong, that "the least of her subjects

* The following enumeration was made by Cecil: —
"And because you may eat your meat more savoury than you have done, every man shall have salt as good and cheap as he can buy it or make it, freely, without danger of that patent which shall be presently revoked. The same benefit shall they have which have cold stomachs, both for aquavitæ and aqua composita, and the like. And they that have weak stomachs, for their satisfaction shall have vinegar and alegar, and the like, set at liberty. Train oil shall go the same way; oil of blubber shall march in equal rank; brushes and bottles endure the like judgment. The patent for pouldavy, if it be not called in, it shall be. Oade, which, as I take it, is not restrained either by law or statute, but only by *proclamation* (I mean from the former sowing), though for the saving thereof it might receive good disputation, yet, for your satisfaction, the queen's pleasure is to revoke that proclamation; only she prayeth thus much, — *that when she cometh on progress to see you in your countries, she be not driven out of your towns by suffering it to infect the air too near them.* Those that desire to go sprucely in their ruffs, may, at less charge than accustomed, obtain their wish; for the patent for starch, which hath so much been prosecuted, shall now be repealed." He then recounts the patents to be tried at law, among which are, new drapery, Irish yarn, calf-skin, fells, steel, leather, cards, glass, saltpetre.

was not grieved and she not touched." Cecil had the insolence, if such it can be called in that age, to tell the house, "the cause had not succeeded from any particular course thought upon, but from private informations of some particular persons." The commons were not punctilious: they set no bounds to their gratitude and joy. They, perhaps, wondered at the courage which they had displayed. They assuredly rejoiced in their escape from a conflict with Elizabeth; and an address of thanks was presented by the speaker and a numerous deputation to her. The speaker, having delivered the address, kneeled with the rest of the deputation to hear the queen's answer. After having proceeded to some length in her speech, she desired "Mr. Speaker and the rest to stand up, for she should trouble them with longer speech." The speech is worthy of that illustrious queen—next to Cromwell, the greatest of English sovereigns. It has the merit, but too rare in her letters and other speeches, of unaffected eloquence. There is a tone of softness and sincerity, and just self-gratulation, in her review of her reign. It would seem as if she spoke with a presentiment that she was addressing her last parliament. It was dissolved on the 19th of December.*

The relations of Elizabeth with France cease to be important at the peace of Vervins. The hostility of Spain ceased to be seriously formidable to her at the death of Philip II. Boissise, the French ambassador, interceded with her, in his master's name, for the life of Essex, "with discretion and modesty†," and was answered with a rebuke.‡ When the execution had taken place, Henry IV. praised her "magnanimity;" contrasted her conduct with that of Henry III. on the occasion of the barricades§; and said, in the presence of

* The version of this speech in the Parliamentary History differs slightly from that given in the first volume of Lord Somers's Tracts, and the second volume of the Harleian Miscellany. The former is the more graphic, and probably the more faithful.

† MS. letter of Villeroy to Beaumont, cited in Birch, ii. 505.

‡ Id. ibid.

§ It would be easy to show the want of analogy, or, rather, the opposition inversely as rebels and sovereigns, between Essex and Guise, Henry and Elizabeth.

his court, that "she only was a king."* The court of Henry, and it may be presumed that prince himself, had received with pleasure the news of Essex's insurrection, and the peril with which it seemed to threaten the queen.† Such is the good faith and the gratitude of princes.

Upon the arrest of sir Henry Neville, his secretary 1602.
Winwood was charged with the business of the embassy. It turned only upon the mutual complaints of depredations at sea, and denials of justice by the respective tribunals; the right claimed by Elizabeth to search French ships suspected of carrying provisions or munitions of war to Spain; the imposts upon English manufactures in France‡; and the eternal theme of reimbursement. The questions of maritime right and the increased duties upon English goods were discussed in London, by Boissise the French ambassador, and Harlay de Beaumont, who had arrived to succeed him, on the one side; by secretaries Cecil and Herbert, sir John Fortescue, chancellor of the exchequer, sir Julius Cæsar, judge of the admiralty, sir Thomas Edmonds, sir Thomas Parry, and Dr. Dunne, a civilian, on the other. The commissioners, in March, 1602, suspended the conferences indefinitely, leaving the right of search undecided§; but arrangements were made for mutual satisfaction where wrong was done to the subjects of either nation by confiscation or seizure, and the duty on English cloth in France was reduced to the scale of the treaty of Blois with Charles IX.‖

A secret negotiation of more importance was opened at the same time between Henry and Elizabeth. It wholly failed; and chiefly merits notice, as one of the proofs how immoderately the character and counsels of

* Win. Mem. i. 316.
† Ibid. i. 294. "They speak," says Winwood, "that which my heart doth break to think of, and my hand doth tremble to put down.
‡ The peasants of Normandy and Picardy wore English kerseys, from their cheapness compared with the manufacture of France. Winwood, i. 334.
§ See Win. Mem. i. 394.
‖ Dépèch. de M. de Beaumont, cited by Carte, b. xix.

Henry IV. have been over-rated. That prince, in August, 1601, made a sudden journey from Verneuil to Calais. Elizabeth, apprised of his intention, sent over sir Thomas Edmonds with a letter referring only to matters of trade.* It would appear from the memorials of Winwood †, who joined Edmonds at Calais, that the latter was further charged to negotiate measures for the relief of Ostend, then besieged by the archduke; and an offensive alliance against Spain. Elizabeth went to Dover, and Rosni (afterwards duke of Sully) crossed the Channel in disguise to confer with her. If the memoirs bearing the name of that celebrated minister may be relied on ‡, Elizabeth proposed to him a magnificent scheme for crushing the house of Burgundy in both its branches — the Spanish and imperial — erecting on its ruins new states, and thus creating a new and steady balance of European powers; in short, that vast and visionary project said to have been entertained by Henry IV. when he was assassinated, but of which not only the wisdom but the existence is doubtful.§ It would appear from Hume ||, that the overture came from Elizabeth. The following passage in Winwood's Memorials shows that both the origin and the failure of the negotiation should be ascribed to Henry:—"I may," says Winwood, writing to secretary Cecil, "presume to assure your honour that the affair which here he (Edmonds) hath negotiated, hath its end. The king's affection, which at the first did seem violent for the conservation of Ostend, being upon the sudden strangely

* Birch, Neg. 201. † Win. Mem. i. 346, 347.

‡ These memoirs, in the original and rare edition, printed under a fictitious name, at, it is said, the château de Sully, do not even pretend to be written by the minister. His secretaries profess to relate to him what they remember having in the course of their service heard him tell. It is scarcely credible that any man could have indited or listened to such a vainglorious recital of his own exploits and virtues. The common edition has little resemblance to the original. It is a sort of *rifacimento* by the abbé L'Ecluse, who, by way of correcting the language and the style to the standard of Boileau, has destroyed the simplicity, the pleasing archaism, and the authenticity, such as it is, of the real memoirs.

§ Volt. Essai sur l'Hist. Un.

|| Vol. v. p. 433. 8vo ed. (He refers to no authority, and is not borne out by the text of Sully's Memoirs.)

relented and carelessly extinguished, I have had some speech thereof with M. de Villeroy, and showed how strange her majesty would think this so *sudden retreat;* and that she could not but hold herself mocked, and her ministers abused, and could not interpret in any good part, *these idle and fruitless projects,* which were, it seems, to see what she would or could do." * The negotiation, which, from the mention of Ostend, must appear to have related to a co-operation with her against the king of Spain in Flanders, broke off from Henry's refusal to do any thing which would be regarded by the king of Spain as a breach of the peace of Vervins. The purpose of his visit to Calais, as stated by the duke of Bouillon to Winwood, was not to promote the relief of Ostend, but "to be ready at hand to make his most profit, if the siege should, as he expected, be raised by prince Maurice †," or, as Villeroy avowed, to take advantage of a revolt which he had reason to expect at Dunkirk.‡ Henry's precipitate departure from Calais, to avoid giving umbrage to the Spaniards, exposed his designs and his fears at once to their knowledge and their scorn. §

Both Rosni and Villeroy, notwithstanding the failure of their own overture, through "the fashions of the king's proceedings," as the French secretary declared ||, renewed their project of a joint and vigorous attack upon the king of Spain in Flanders, in preference to a naval expedition, with which Elizabeth then threatened the shores of Spain.¶ Upon being required to state the extent of Henry's co-operation in men or money, they retreated with the same levity of purpose as before. Elizabeth's demands of reimbursement at the same time pervaded every conference and communication, and it required several months' discussion to obtain the paltry payment of 50,000 crowns from Henry. Secretary Cecil, on the part of the queen, accepts in contemptuous terms "this first mean payment;" and says of Henry,

* Hume, v. 346. † Win. Mem. i. 343. ‡ Ibid. 343.
§ Ibid. 347. || Ibid. 346. ¶ Ibid. 384—386.

that he was constantly proposing "a common action and great design; but when it came to the upshot, there rose no fruit of such discourses." *

That Elizabeth should seriously propose a league for the destruction of the king of Spain and the emperor, to a prince thus unsteady in his counsels, whom her ambassadors † described to her as sunk into a slothful voluptuary ‡; who had broken faith with her at the peace of Vervins §; from whom she found it hard to obtain 50,000 crowns, is incredible. A design so vast and difficult may have been thrown out by her in conversation: it was worthy, perhaps, of her capacity, but inconsistent with her advanced age, and with her guarded foreign policy.

Henry had soon sufficient occupation in his own kingdom. Marshal Biron had been some time engaged in treasonable practices with the duke of Savoy and king of Spain; Henry knew this, yet wanted resolution to punish an offender of his daring character and high

* Win. i. 395. † Ibid. 348. and several other places. Birch, Neg.

‡ The following passage in one of Winwood's letters to Cecil at this period, will give an idea of the corruption of the French court: —

"The last time that the king was at Vernueil, M. de Boidissière being in company with M. Beauvoir Nangys, complained of the wrong the king had done him for his daughter, whose honor he had ravished, and deluded him with many fruitlesse promises, and at length had exposed him to the shame of the world. He began thereupon to protest that he was resolved to be revenged, and to kill the king. Beauvoir Nangys advised him to more moderation; but seeing him persist in his furie, departed, and sent unto him M. de Montigny, governor of Blois, who found him in that phranticall humor. De Montigny acquainted La Verrane, controller of the posts (who is the mezzano between the king and his daughter). La Verrane posteth to Vernueil, and advertizeth the king, who at that instant receaved a letter from La Boidissière, soliciting for access. The king returned answer, commanding him not to stir from Paris, where he himself wold be within feaw days; then advised how to appease his furie. To commit him to prison were to exasperate his frenzie, and to discover his own shame to the reproach of the world, and therefore he resolved to command M. de Rhosny to deliver unto him 30,000 crowns, as he tendered the safety of his person and his life; which were forthwith delivered and receaved. And since, he hath had no feeling of his owne or his daughter's honor; to whom the king doth give 500 ducats pension by moneth, whereof the father retaineth twoe for himself."

§ "That which makes this king so fearful to re-enter into the war, besides the greediness of his desires to pass the rest of his days voluptuously in his pleasures (which he will never abandon, though they abandon him), is that guiltiness of his own conscience, &c. (respecting his treatment of her at the peace of Vervins), which makes him fear that she, through envy (desire) of revenge, would pay him in his own coin." — *Win.* i. 348.

rank. He received Biron at court, and even sent him on a pageant embassy of compliment to Elizabeth, soon after the negotiation or overture at Calais. Urged by Rosni*, he at last invited Biron to Fontainbleau, pledging the royal word that no injury should be done him †; received him with the most familiar kindness of language and manner in the morning; and, after avenging himself upon the man he feared by a disgusting affront‡, worthy of the meanest spirit in the meanest condition, had him arrested as a traitor in the evening. The estimation in which Henry now stood with his own subjects may be judged, from Winwood's writing to Cecil, that this coup d'état would establish the king's tottering authority, and rescue him from general contempt. § Biron, conscious of his treason, and even knowing the king's proofs against him, yet ventured to Fontainbleau with less than his ordinary train. Winwood ascribes this to his characteristic presumption, and "a base conceit of the king's weakness and timorousness of nature." He was convicted not only of treason, but of conspiracy to assassinate the king and the dauphin; but the proof of the latter charge is doubtful. His derision of the death of Essex, and his frantic behaviour on the scaffold when the case became his own, have often been cited in illustration of human character. The savageness of his disposition, from his childhood, is not so well known. It was calculated, at his death, that he had murdered 500 persons with his own hand in cold blood. ||

The notoriety of Henry's dissolute life, and the weight of his imposts ¶, provoked against him an association "for the public good," so numerous and powerful, that he was obliged to revoke the obnoxious imposts, and ca-

* Win. i. 419.
† "Sous la parole de sa majesté qu'il n'aurait nul déplaisir."
‡ Win. i. 414. § Ibid. 415. || Ibid. 427.
¶ "The first light of this league came from one M. d'Anjou . . . . who remonstrated to the king how, by the heavy exactions wherewith his subjects were oppressed, he had lost the hearts of his people; yet that he was not more hated for the cruelty of his oppressions, than despised and contemned for the dissoluteness of his life." — *Win.* i. 419.

pitulate with its chiefs by impunity to all, and court favour to many.

Elizabeth continued to aid the United Provinces in their struggle with Spain. She suspended for two years their annual reimbursement of 200,000 crowns, and allowed them to recruit 7000 men in England. Much importance, it has been observed, was attached to the fate of Ostend, besieged in 1601 by the archduke. This town, like several others in the provinces, had grown up from a hamlet of poor fishermen into a strong fortress and depôt of trade during the war of independence. Thus munificent is liberty, in compensating the sacrifices made in her cause. The defence of Ostend was confided to sir Francis Vere and the English auxiliaries: that distinguished officer defended the place against the archduke by several proofs of skill and valour, which he has himself recorded with no common disregard of modesty.*

The Spaniards meanwhile prepared an expedition against Ireland. Philip III. was one of the most imbecile of hereditary princes; he did not know the alphabet at twelve years of age: but he was surrounded still by counsellors and captains trained in the school of Philip II. Don Juan d'Aguilar sailed from Spain early in September, with 4000 veteran troops, whilst another expedition of 5000 men was preparing at Lisbon to follow and aid him in the conquest of Ireland. It is necessary to glance back at the affairs of that kingdom. Tyrone, upon the departure and disgrace of Essex, raised once more his standard as a rebel or deliverer, and wearing in his cap a consecrated phœnix plume presented to him by the pope! The plume has been charged upon Tyrone as a proof of barbarous superstition.† That

* The memoirs of sir Francis Vere are more useful to the student of the art of war than of general history. On every occasion, even where his place was subordinate, he makes himself prominent, and takes the chief credit of almost every achievement in which he had a share. He calls his memoirs "Commentaries," after Cæsar, whose modesty is no less remarkable than the simple elegance of his style. It is scarcely necessary to refer the reader to the life of sir Francis Vere, in Mr. Gleig's "Lives of British Military Commanders," in the CABINET CYCLOPEDIA.

† Hor. Wal. R. and N. Auth.

versatile and crafty chieftain most probably employed fiction, as so many others have employed it, without reproach, to act upon the simple faith and imagination of the multitude. After some considerable successes, he was checked in his career by Mountjoy, the lord deputy. That governor was not distracted, like Essex, between his private ambition and his public charge; and he was well supported by sir George Carew and the other dependants of Cecil, who were secretly instructed or disposed to thwart his predecessor.* The queen adopted another mode of weakening the rebels, which had its effect upon them, but recoiled upon herself. She paid the troops in a debased currency, and issued a proclamation against carrying specie into Ireland, under the pretence that it found its way into the hands of the rebels. It was a suggestion of Buckhurst, reluctantly, it was said, adopted by the queen, who valued herself upon having purified and settled the standard at the commencement of her reign.† The rebels could no longer purchase provisions at home, nor arms nor ammunition abroad, with this debased coin; they suffered most severely in consequence: but the soldiers murmured, and some officers came away to remonstrate at court.‡ Mountjoy, however, kept the troops actively employed; and, in a war of plunder and devastation, the debasement of the currency trenched rather upon their hoardings than their necessaries. The only gainers were the commissaries and paymasters, whose inventive rapacity, says Camden, had probably suggested the expedient. The debased currency was to be called in after a certain period§; and the exchequer was bound to give standard gold and silver in exchange for this mixed coin.

Whilst the lord deputy pressed Tyrone in the north, sir George Carew, president of Munster, made preparation against the Spaniards, who were naturally ex-

* See Nugæ Antiquæ, 179.
† Camd. Ann. See the case of base money, St. Tr. i.
‡ Sidney Letters. § Camd. Ann.

pected to land in the south. His chief precaution was to seize, by fraud or force, such of the Irish as he feared or suspected. Among these were Desmond and Macarthy, whom he sent over to England. They were shut up in the Tower of London, where they soon died under the suspicion of foul practice, — for no other reason, perhaps, than the associations of the place with secret crime and violent death. On the 21st of September, D'Aguilar entered the harbour, and landed in the town of Kinsale. The governor, with his small garrison, had evacuated the place, and retreated to Cork. Carew, with a reinforcement of 2000 men from England, yet thought himself too weak to encounter the enemy, and hindered their progress only by laying waste the country. D'Aguilar invited the Irish to join him, by a manifesto, in which he styled himself chief commander in God's war for the defence of the holy catholic faith in Ireland, against the excommunicated queen of England; and did nothing worthy of this pompous announcement. The lord deputy, informed of his landing, abandoned Tyrone in the north, to join Carew in the south. Don Juan d'Aguilar, meanwhile, remained inactive within the small town of Kinsale. The deputy and president having formed a junction, their artillery played upon the town, but without intending to make a breach, whilst Tyrone was close in their rear. Don Alonzo Ocampo landed at Bearhaven, with a reinforcement of 2000 Spaniards, and joined Tyrone. They held a council, in which it was resolved to throw the Spanish reinforcement, with 800 Irish, into Kinsale, at the request of D'Aguilar; and having the English camp between two fires, to attack the lord deputy from the garrison, and from the open country, next night. Brian Macmahon, "a principal commander in the Irish army, whose eldest son had been a page in England with the lord president *," conveyed the decision of the council, at which he had assisted, to Carew, in return

* Hib. Pac. 414.

for the civility of the latter, who sent him a bottle of aqua-vitæ for old acquaintance.* Tyrone, upon attempting to throw the reinforcement into Kinsale, found the English forces posted under arms, and the passes secured; fell back towards his main body in disorder, without any known cause; was pursued and attacked by Mountjoy, and routed by him with the loss of 1200 slain in action, many more in the pursuit, 800 wounded, and Ocampo, with three other Spanish officers, taken prisoners. Don Juan d'Aguilar, upon this defeat, agreed to surrender, not Kinsale alone, but the other fortresses placed in his hands by the Irish, upon the condition of being conveyed to Spain with the honours of war. The Irish were charged, by both the English† and Spaniards‡, with a degree of cowardice in action, scarcely consistent with their having left 1200 men and 14 captains (superior officers), "besides other men of mark§," dead on the field. Don Juan, in conversation with the lord deputy, expressed his disgust at the behaviour of Tyrone and the Irish, who had, he said, abused, if not betrayed, his master. He declared Ireland a country which Satan, when he carried up Christ to view the kingdoms of the earth, concealed from his view, as fit only for himself.‖ The Irish retaliated upon don Juan and the Spaniards, both imputations — of treachery and cowardice — for their inaction at Kinsale, and their surrendering the strong places into which the Irish had admitted them. When the Spanish garrison of Bearhaven castle was about to surrender it according to the terms of capitulation, the Irish overpowered the Spaniards, and held it against the lord deputy. Don Juan would have marched his Spaniards to retake and deliver it, but "the lord deputy and the lord president," says sir George Carew, "who were desirous to see his heels towards Ireland,

* Hib. Pac. 414.
‡ Hib. Pac. 420.
‖ Cecil's Lett. Win. i. 378.
† Cecil's Lett. Win. i. 370.
§ Ibid.

wished him not to trouble himself about that business." * O'Sullivan, owner of the castle, wrote letters of complaint to the king of Spain and count de Barbacena against don Juan d'Aguilar.† It is not easy to reconcile the conduct of D'Aguilar with his reputation and honour;—his inaction after landing, his requiring that the 2000 Spaniards and 800 Irish should be thrown into Kinsale, where he had already 4000 veterans, his few and inefficient sallies, his want of co-operation with Tyrone, his really faithless and inhuman surrender of the strong places into which he had been received, — and all this, at a time when he had several weeks' provisions, and reason to expect reinforcements from Spain and Portugal. He had hardly signed the capitulation, when letters to him from the king of Spain, and duke of Lerma, intercepted by Carew‡, announced that reinforce-

* Hib. Pac. 484.

† O'Sullivan describes himself as one whose ancestors maintained the credit and calling of great gentlemen *these two thousand and six hundred years!* and now "driven to run to the mountains, there to live like wolves, and leave to the merciless discretion of the English, all the poor men, women, and children, within the length of twenty leagues containing of his antient inheritance."

‡ He gives a curious account of those letters in the Hib. Pac. p. 464.

"About the 10th of February, don Juan de Aguila, residing in Corke, whilest his troopes were preparing to bee embarqued for Spaine; in this interim a Spanish pinnace landed in the westermost part of the province, and in her there was a messenger sent from the king to don Juan de Aguila, with a packet of letters. The president, having knowledge thereof, told the lord deputie, that if hee had a desire to know the king of Spaine's intentions, there was a good occasion offered. The lord deputie's heart itching to have the letters in his hands, prayed the president to intercept them if hee could handsomely doe it; the president undertooke it, and having notice that the next morning the messenger would come from Kinsale to Corke, and knowing that there was but two ways by the which hee might passe, called captaine William Nuce unto him (who commanded his foote company) to make choise of such men as hee could trust to lie upon those passages, and when they saw such a Spaniard) whom hee had described unto him) to seize upon him, and as thieues to rob him, both of his letters, horses, and money, not to hurt his person, but to leaue him and his guid bound, that hee might make no swift pursuit after them, and when they had delivered him the letters to runne away. Captain Nuce so well followed his instructions, as the Spaniard was taken in a little wood, and the letters brought at dinner time; don Juan (if I doe not mistake) that very day dyning with him, who instantly caried them to the lord deputie, where at good leisure the packets were opened and read; which done, the president went to his house, leaving the letters with the lord deputie: the same evening, the Spanish messenger, having been unbound by passengers, came to don Juan de Aguila's relating his misfortune in being robbed not fiue miles from the towne. Don Juan de Aguila went immediately to the lord deputie, grievously complayning that the messenger was robbed by

ments should soon reach him. Don Juan was well received by Philip III. His reception by Philip II. after such an expedition would have been different. The Spanish council now resolved to send no more expeditions to Ireland.* It was the first acknowledgment of weakness and descent as a European power by Spain.

The court of Spain, it has been observed, was preparing a force of 7000 men to reinforce D'Aguilar in the spring, and Frederick Spinola threatened to seize and maintain the Isle of Wight. The queen charged sir Richard Levison and sir William Monson with an expedition of ten ships of war, having on board 1500 troops, to be joined by the Hollanders with an equal force, for the purpose of either falling in with Spinola, or attacking the shipping in the Portuguese and Spanish ports. The Hollanders not being immediately prepared to join, Levison, leaving Monson to wait their coming out, sailed with four ships of war in quest of Spinola; fell in with the Spanish plate fleet, but was too weak to attack it; was joined by Monson, who became impatient of waiting for the Dutch; took a rich East India carrack; maintained a fight of seven hours with eleven galleys commanded by Spinola, and compelled them to seek refuge at Lisbon in a shattered state. Spinola, having refitted, sailed from Lisbon into the Channel, bearing upon the French coast; encountered, near Dover,

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souldiers (as he alleaged). The lord deputie seemed noe lesse sorry, but (said hee) it is a common thing in all armies to haue debaucht souldiers, but hee thought it to be rather done by some of the countrey thieues; but if the fact was committed by souldiers, it was most like to bee done by some Irishmen, who thought it to be a good purchase (as well as the money) to get the letters, to shew them unto their friends in rebellion, that they might the better understand in what estate they were in. Don Juan, not being satisfied with this answer, desired the lord deputie to enquire of the lord president (for of his intercepting of them he had a vehement suspicion), whether hee had any knowledge of the matter, and so they departed. The next morning the lord deputie related to the president the complaint, and his answers. Don Juan, eager in the pursuite of his letters, came to knowe of the lord deputie what the president answered. The lord deputie answered him upon his fayth, that hee was sure that the president had them not; which hee might well doe, for they were in his own possession."

* Carte, Gen. Hist. b. xix.

sir Robert Mansel, with three English and four Dutch men-of-war; and was compelled by him to take refuge in Dunkirk, with the loss of three out of his squadron of six galleys.

The lord deputy, meanwhile, pursued with relentless vigour the war in Ireland. Tyrone, harassed and disheartened by famine and superior force, surrendered to him, after some time spent in negotiation. His pardon was obtained with great difficulty from the queen. Such was the state of affairs abroad—under which designation the affairs of Ireland may be considered; for the queen's dominion over that kingdom was but the permanent occupation of an enemy's country.

At home, there was an approach towards religious peace and undivided allegiance. The English catholics were distracted and weak ever since the death of the queen of Scots. The ecclesiastics abroad, since the death of cardinal Allen, were either spies in the pay of Walsingham and the Cecils, or intriguers without weight or character. The exiled lay partisans of Mary had still less influence, and were still more disposed to return to their native allegiance. A violent schism, begun on the Continent between the Jesuits and secular clergy, extended itself to England. An ecclesiastic named Blackwell was placed over the secular clergy, under the name of arch-priest, at the instigation of the Jesuits. The secular clergy and lay catholics repudiated his authority, and showed a disposition to submit implicitly, at least sufficiently as to their allegiance as subjects, to the government and title of the queen.

Such was the state of solid strength and glory to which this great princess had brought the nation and her throne, by her consummate skill in government through a long and trying period, when she found herself almost suddenly on the brink of the grave. It was one of Elizabeth's weaknesses to try and hope to con-

ceal the inevitable changes in her person, wrought by time, and the infirmities of age: the pains of the gout in her fingers could not draw from her a complaint which could betray its existence.* Harrington describes her as slovenly, emaciated, and irritable almost to madness, on his return from Ireland in the summer of 1601. His account, especially of her temper, upon the report of aggrieved ladies of the bedchamber, seems exaggerated.† She narrowly escaped falling from the throne at the opening of parliament in the following October, but whether from infirmity or accident is doubtful.‡ Lord Henry Howard, writing in the beginning of September, 1602, describes her as "never so gallant many years," preparing for a progress fifty miles off, "hunting and sporting every other day," and "making a poor use of his aptness for her humour of recreation and jollity." § There were court speculators — to call them by no baser name — industrious enough to provide her a new lover. ‖ This was the young earl of Clanricard, who had distinguished himself by his gallant behaviour in the last great battle with Tyrone, where he unfortunately forgot that humanity no less than valour is a soldier's virtue.¶ Elizabeth, at the end of two months, said she could not love him, because he reminded her of Essex.** What a reminiscence of a favourite whom she had consigned to the executioner! But Elizabeth, like all despots, looked upon her subjects as slaves made for her use. She felt not remorse or

* There was, perhaps, as much of humorous malice as of vanity in her contrivance that the ambassador of the king of Scotland should be so placed behind a curtain, as to see her dance in her old age, without her being supposed aware of his presence. It was a sure way of tormenting her impatient, unworthy, and hated heir. Sloane MSS., cited by Ellis, Lett. iii.

† ? Nugæ Antiq.

‡ Lett. of Lord H. Howard. Sec. Corr. 26. That ingenious person accounts for it astrologically. "The king," (James) says he, "did fall without harm, the French king with a great bruise, which proves that some great planet in this configuration was precipitate."

§ Ibid. 231—233. ‖ Carte, b. xix.

¶ Sir George Carew mentions as a proof of his loyal zeal, that he refused quarter, and continued the carnage after the field was won.

** Carte, b. xix. p. 696.

grief for having destroyed a fellow-creature or a lover, but regret for having deprived herself of an animal, the loss of which proved a privation to her. She rode out on horseback through the autumn.* It was not until the middle of November that her health seriously changed, and even then she had the anniversary of her accession celebrated with feasting and a tournament.† At the close of January, she gave orders for her removal to Richmond for retirement and change of air. She appeared to have a presentiment of her approaching death. It was observed, that she was more than usually employed in prayer, and took occasion to say to the lord admiral, by way of casual observation ‡, that hers was a throne of kings; and who but a king and her next heir should succeed her? §

1603. She removed on the 31st of January ‖; a stormy day. Her health improved at Richmond until the 20th of February, when she had a relapse. She fell into a state of moping, sighing and weeping melancholy, refused medicine, could take neither food nor rest, and lay upon cushions on the floor. Her state was ascribed by some to the execution of Essex; by others to the pardon of Tyrone, wrung from her by her council. Being asked whether she had any secret cause of grief, she is said to have replied, that "she knew nothing in this world worthy to trouble her." ¶ The French ambassador, writing to Henry IV. on the 13th of March, new style, says his audience was postponed for some days, on the pretence of the queen's grief for lady Nottingham, who had just died,—the real cause being the state of her health. Here it is indispensable to mention, but unnecessary to relate the

* Despatches of the French ambassador, cited by Carte, b. xix. p. 696.
† Ibid. ‡ Camd. Ann.
§ Death of Elizabeth, from a MS. Som. Tracts, i. 246. Camd. Ann.
‖ Carte, 696. The account above cited from Somers's Tracts, says the 14th of January. Carte probably took the date from the French ambassador's despatches, and employed the new style, which would still leave a week's difference.
¶ Sloane MSS., cited by Ellis, Origin. Lett. iii. 194.

history of, the ring. Rejected by lord Clarendon *, it has received credit from Hume, and Horace Walpole. † The evidence upon which it rests is shortly this; — the mention of it by Osborne, in his traditional memoirs, as a current story, without authority; by Aubery, in his memoirs of the state of Holland, on the authority of his father, who heard it from prince Maurice, who heard it from sir Dudley Carlton; by Dr. Birch, as a traditional story in the family of lady Elizabeth Spelman, great grand-daughter of Robert Carey, earl of Monmouth, the brother of lady Nottingham, and author of well-known memoirs, containing his account as an eye-witness of the last illness of the queen. ‡ There are some startling improbabilities. If Essex had such a ring, why not have presented it during his court disgrace, which was the contingency to which it referred? Why intrust such a charge to "a strange boy," whom Essex saw from his window in the Tower? Could a strange boy have come within reach of Essex, in the Tower, under sentence of death? It is true, indeed, that Elizabeth was accustomed to give rings as tokens of affection and fidelity: for example, to the duke of Anjou, whom she discarded next day; to Mary queen of Scots, whose head she cut off. But why search for mental causes of bodily ailment in a woman now in her seventieth year? There was really nothing in the queen's illness which might not be symptoms of physical malady, and in the course of nature at the age of seventy. The refusal to take medicine was with her an habitual prejudice, and restlessness, or, as Camden calls it, αγυπνια, — a derangement of health to which she was subject. Extrinsic causes,

* Reliq. Wotton.

† Catalogue of Royal and Noble Authors.

‡ This false and ungrateful courtier, admitted to the queen's chamber in her last illness, kissed her hand, and congratulated her on her health! "No, Robin," said she, "I am not well,"— taking his hand and "wringing it hard." He was "grieved," he says, "at first to see her in that plight," and waited her last breath with the most vigilant anxiety, in order to be the first messenger of the joyful news to the king of Scotland.

however, may be safely assigned. "After the death of the earl of Essex," says a person evidently well informed, "the queen imagined that the people's affections to her waxed more cold than was accustomed."* Having lost the favour of the multitude, she thought she had the faith of Cecil and Nottingham entire and devoted. She soon had reason to suspect, though not to convict, them†, of their secret and base correspondence with the king of Scotland. The claims of James to the succession were talked of at home and abroad.‡ She was thrown into consternation on the arrival of the duke of Lenox at the meeting of parliament in 1601, from the fear of his demanding that James should be acknowledged by her.§ She reproached Cecil vehemently for having induced her to increase James's pension ||; and would, doubtless, have punished him as he well merited, but that she was now old, desolate, and despised. All eyes were turned to her heir. The delusions of gross and hollow flattery, to which she was too open, abandoned her. It is stated, that having caught a glimpse of "her face, lean and full of wrinkles, truly represented in a glass," she was shocked at her own features, and at the impudence of her flatterers.¶ On the 18th of March, her state was desperate, became publicly known, and caused a vague but serious alarm. The inhabitants of the suburbs removed their precious effects into the city, where guards were posted, in the contemplation of tumults.** The lords of the council were summoned to Richmond on the 18th; but no question appears to have been put to her respecting the succession until the 23d, and then only in the presence of the lord admiral, the lord keeper, and secretary Cecil. Nottingham reminded her of her former speech respecting her successor: she answered, "I told you my seat had been the

* Account from the Sloane MSS. in Ellis, Orig. Lett. ubi suprà.
† See the proof of Nottingham's participation, in Sec. Corr. 139.
‡ Sec. Corr. of Cecil and James, 16.
§ Sec. Corr. ibid.
|| Ibid.
¶ Sloane MSS., ubi suprà.
** Id. ibid.

seat of kings, and I will have no rascal* to succeed me; and who should succeed me but a king?" The lords looked at each other for a moment upon this mysterious speech. Cecil asked her what she meant. She answered, "I will be succeeded by a king; and who should that be but our cousin of Scotland?" and begged them to trouble her no more.† The same three counsellors, nevertheless, repeated their question at four o'clock next day. She was then speechless. Cecil asked her to answer by a sign, and she joined both her hands above her head. Her declaration of James as her heir, either in express words, or by signs, has been a matter of suspicion and doubt. But though she hated him, she hated still more the rival claimant Arabella Stuart. Had she made a different disposition, it would assuredly have been set aside, like the last will and testament of Henry VIII. The dying hours of Elizabeth were given to prayer. She made signs to the archbishop of Canterbury to continue praying on his knees by her bed-side, so long, that he made several attempts to conclude, until his strength or his patience became exhausted.‡ It was a slight penance on that persecuting churchman, who was the chief author and instrument of those executions for puritanism which stained her reign and character. After four hours sleep, she awoke at two o'clock in the morning of the 25th of March, to die without a groan or struggle.

Few sovereigns have been portrayed in colours so bright and spotless by some, so dark and odious by others. Time has detracted little from the admiration of her cotemporaries; and even religious party at length does homage, if not justice, to her memory. Her reign and character are signalised by the establishment of protestantism; by the conquest of the armada; by a thousand proofs of her supremacy in the art of go-

* Carte says, riff-raff mortals (rescots), taking the term from the French ambassador's despatches. The Sloane MSS. says "no base person."
† Account in Som. Tracts, vol. i. ‡ Mem. of R. Carey.

vernment: it is stained by religious severities, which, under the circumstances, are, perhaps, as much to be deplored as condemned; and by one unhappy act of perfidy and blood. She inherited the passions of her father. Her temper was impatient, self-indulgent, jealous, savage, and tyrannical. It is a distinctive, admirable, and, perhaps, unique trait of her character that she mastered those elements of crime and evil by prudence and discipline. Never was power so long and so uniformly directed by the passionless calculations of policy. It was much to triumph over her passions: Elizabeth did more; she triumphed over her weaknesses. She controlled, where she did not conceal them. Her favourites were not allowed by her to abuse her favour, or presume upon her fondness. When they ventured to do so, her rebuke was terrible. She trod the insolence of Leicester to the dust, from which she told him he had been raised by her: when she found Essex incorrigible, she deliberately cut off his head,—an act for which the sovereign may be justified, whilst the woman must be abhorred. Her severities against Roman catholics are vindicated only by sophistry, and extenuated only by falsehood, in the well-known defences of Burleigh and Walsingham. But it is due to her to consider the situation in which she stood. Her throne, her title, her life itself, were identified with the Reformation. Her counsellors, in their eager zeal, scared her with the terrors of secret murder; her parliaments armed her with sanguinary statutes; and both the church and the parliament clamoured for persecution. Against the units whom she sacrificed, should be weighed the hundreds whom she saved. Believing herself constantly exposed to poison and the dagger, this fearless queen walked abroad, having the jewels, with which her enemies had bribed her servants to destroy her, hung in triumph at her girdle.* In what other reign would the victims (if there were any)

* Speech of the lord keeper, in the last parliament.

to mere suspicion or false accusation of designs against the life of the sovereign, have been so few? The catholics would have more rarely rebelled against her government; fewer fanatics would have been armed against her life, had her government been less severe — had she abstained wholly from persecution. But, again, let not her situation be forgotten. The spirit of her severities against the puritans was more personal and keen. She agreed with the catholics in their chief dogmas, except the pope's supremacy: she liked the ceremonials of a religion, whose gorgeous worship subjugated at once the senses and the faith of the multitude — of a church, whose great principle was unenquiring prostrate obedience to authority. Puritanism was an opposite principle, which interrogated before it would obey, and required to be convinced. Frivolous ceremonies were the chief points in dispute; but Elizabeth saw and feared the principle. She foresaw, perhaps, that fanaticism and the puritans were making the breach through which liberty and reason should one day enter.

The government of Elizabeth is described by Hume, as no more limited or constitutional than that of France; and the English constitution, as non-existent in her reign. This assertion has been combated by two living writers*, of whom one refers to him by way of

* "The house of commons under Elizabeth," says Mr. Hallam (whose name cannot be written without respect and deference by any student of the constitution and of history), "was very far, on the one hand, from exercising those constitutional rights which have long since belonged to it, or even those which by ancient precedent they might have claimed as their own, yet, on the other hand, was not quite so servile and submissive an assembly as an artful historian has represented it." (Constit. Hist. vol. i. p. 358, 359.) The language of Hume is guarded and precise, and his statements are nowhere directly met by Mr. Hallam. The difference between the two historians as to the reign of Elizabeth is of degree — not of fact or substance. Hume says that "Elizabeth exercised the royal authority in a manner contrary to all the ideas which we at present entertain of a legal constitution;" that the prerogatives of this princess were scarcely ever disputed;" that "she did not infringe any *established* [the italics are Hume's] liberties of the people." Mr. Hallam cites (page 63.) "the English spirit which had not only controlled such injudicious princes as John and Richard II., but withstood the first and third Edward in the fulness of their pride and glory." But it may be asked, did "that English spirit" transmit "*established* liberties?" Did not Edward III., in the fifteenth year of his reign, revoke as null certain statutes, because, he said,

sneer as "the elegant historian." It was a great miscalculation to suppose that a sneer levelled from such

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they were "forced from him against the laws of the realm and his prerogative?" (Rym. v. 282.) Mr. Hallam (pp. 366, 367.) cites the case of Smally, in which the commons asserted their privilege. But Smally was arrested for debt, and the dispute was between the commons and the plaintiff, not between the commons and the crown. When their own members were arrested in their places, in flagrant violation of privilege, and committed to prison, by Elizabeth, for presuming to meddle with what she chose to forbid, they not only submitted, but, in one instance, had not courage enough to petition for the liberty of the imprisoned members as a matter of grace. (See p. 28. antè.)

Mr. Brodie exaggerates and exults over very slight and very questionable advantages in a tone unworthy of his able and industrious work. He argues sometimes as if a rare and weak exception, instead of proving, devoured the rule; he treats facts, at other times, with the licence of a nisi prius advocate labouring to subjugate the understandings of a common jury. Hume mentions a proclamation of Elizabeth "any law or statute to the contrary notwithstanding." It was issued in 1588. Mr. Brodie says it was justifiable "on the plea of necessity," which "is, of course, paramount to all law," and goes back to the year 1584 for the following circumstance of necessity. "Of the public feeling," says he, "some idea may be formed from the voluntary association into which the peers and commons of parliament — not in their character of legislators, but of noblemen and gentlemen — entered, in the year 1584 or 1585, binding themselves, by oath, to revenge the queen's murder, should the malice of her enemies prove successful." To this he subjoins the imposing formality of a reference to Strype. It will suffice to observe, that any reader, not already informed, will learn, upon going back to the political annals of that time in Carte, Camden, De Thou (Thuanus), or even the very Strype cited by Mr. Brodie, that this band of association was a crafty court scheme, got up by Leicester, against the life of the queen of Scots; that the queen of Scots instantly saw in it her death-warrant; and that it was soon turned into an act of parliament in order to give it the necessary edge. Hume cites the case of sir William Evers, "punished for going into Scotland without the queen's leave." The following is Mr. Brodie's reply. "Evers," he says, "went to Scotland for the purpose of intrigue, and was detected." Where is Mr. Brodie's evidence of "detection" or "intrigue?" Evers had no trial. Mr. Brodie refers to the following sentence in a letter of secretary Cecil to sir Ralph Winwood: — "Some small requests they (the Scotch ambassadors) made for sir William Evers, who is in prison for coming secretly to see the king in Scotland, which he afterwards abjured when the contrary was plain, and so only imputed to him in *that* respect *pro delicto*." The upshot, then, is, that Evers was punished, not for going to Scotland, but for denying that he had been there! There must be an error of the press in the following words (Brodie, Introd. p. 277.) on the subject: — "He (Evers) suffered imprisonment for *merely* having solemnly denied that he had been at the Scottish court." Mr. Brodie probably meant "imprisonment merely," &c. He would otherwise appear to argue against himself. "The case of Evers," says Mr. Brodie, "when investigated, shews that the government of Elizabeth, in the exercise of powers committed to her by the legislature, was not characterised by rigidness." Then it will show these three things: first, that the treatment of Evers was not rigid; second, that the government of Elizabeth was not rigid; third, that the legislature had committed to Elizabeth the power of punishing Evers, or any other English subject, for going into Scotland without her leave. "Whether his confinement," says Mr. Brodie, "was long or short, does not appear." It *does* appear, from the "Secret Correspondence of Sir Robert Cecil with James VI. of Scotland." (Note *, p. 5.) "King James set him (Evers) at liberty

a distance could touch a reputation so eminent. Hume's "elegance," was regarded by Gibbon with admiration

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immediately after the death of queen Elizabeth. (R. Johnston, Rer. Brit. Hist. p. 186.)" Hume says,—"The legislative power of parliament was a mere fallacy while the sovereign was universally understood to possess a dispensing power by which all laws could be invalidated and rendered of no effect." Mr. Brodie does not venture to deny that she granted dispensations to individuals from penal statutes, and quarrels with Hume only because he did not choose a better instance. But Elizabeth did more than dispense with penal statutes. She gave a dispensation to lord Dunsaney and John Matthews from paying their debts, "by," says she, "our prerogative royal, which we will not have argued or called in question." (Rym. xvi. 95.) Mr. Brodie cites sir Edward Coke to prove the dispensing power illegal. Yet Coke says (3 Inst. 236.), "It hath been conceived (which we will not question) that the king may dispense with these laws by a *non obstante*, be it *general* or special. Inasmuch as this power is not in the people, or derived from them, it follows, as before, that it be original, innate, and inherent in the person of the king, *inter jura summæ majestatis*, and, consequently, inseparable," &c. Coke, however, is a sort of *Janus* as a *constitutional* lawyer. Hume compares Elizabeth's proclamation ordering her officers to tear men's ruffs and break their rapiers, when exceeding certain dimensions, to the practice of the czar Peter. Mr. Brodie says, "The people were above contesting a trifle of this kind with a beloved monarch, whom they, with the rest of Europe, considered the bulwark of the protestant interest." The Muscovites, *mutatis mutandis*, might make the same reply. It was doubtless for the same reason that the lord mayor and two aldermen announced to lord Burleigh the submission of the corporation to her sumptuary interdict against "excessive feasting and eating venison in the halls of the city companies and in taverns:"—"Our dutie," say they, "to your Lordship humbly done; it may please the same to be advertised that for auoyding the excessive spending of venison and other vitail in the halles of this citie, which we understand to haue been offensive to her majestie and *the nobilitie*, we haue by act of common counsel forbidden such festes hereafter to be kept, and have restrained the same only to necessarie meetings, in which also no venison is permitted." (*Ellis, Orig. Lett.* iii. 37.)

Hume refers to the arbitrary imprisonment of lord Southampton for marrying without the queen's leave. Mr. Brodie answers, that "Southampton suffered *as a courtier*. Courtiers," he says, "were *also* (that is, like *domestic servants*) under a rigid discipline; and confinement to the Tower was a species of punishment to which they were exposed." There are here two curious implications: that there was no oppression in the arbitrary imprisonment of domestic servants by their masters, and of her courtiers by the queen; next, that those classes only were arbitrarily imprisoned. But it is idle to talk of security of person when the council, upon an alarm of the queen's illness, caused, says Camden, London to be scoured, and "all the *vagrants* (a word of fearful latitude) hereabouts (London) to be taken up and shipped off for the Low Countries;" (Lett. of Camden, Ellis, Orig. Lett. iii. 179.) — when Cecil, in the queen's last illness, and doubtless without consulting her, imprisoned Arabella Stuart, without the shadow even of a charge, and seized, in two nights, 800 *vagabonds* in London, whom he immediately sent off to serve on board the Dutch fleet!" (Dépêches de M. de Beaumont, apud Carte, xx.) Hume, in fine, has sinned — and sinned deeply — not in the view which he has given of the reign of Elizabeth, but in his logical use of it. His argument may be reduced to this enthymem. The English acquiesced in the despotism of the Tudors; therefore they should continue slaves — chain-bound by prescription to the prejudices and pretensions of the Stuarts, or any other race more or less worthless, which might occupy the throne. The premise is true, the conclusion false.

and despair. The struggles of the barons and commons with the Plantagenet princes; the liberties wrested from them, whether by charter or by statute — the dicta of text-writers upon English law — form no answer to Hume. Englishmen, in the reign of Elizabeth, seem to have lost or forgotten the tradition and the titles of their free estate. Who stood up with Magna Charta in his hand, against a forced loan, an arbitrary imprisonment, an excessive fine, a trial by others than his peers? The rare exceptions of the Wentworths and the Morrices, who were informed enough to know, and fearless enough to assert, that the commons had privileges and the people rights, only prove the rule: — they expiated their knowledge and their courage in the Tower, whilst the commons and the nation acquiesced. She applied to parliament for subsidies, and admitted it to a share in changing or making laws; but, so far from acknowledging it as a co-ordinate power, she told the commons they were the creatures of her breath, existing only by her sufferance. The pride of English liberty has been piqued by the comparison with France: let but the trial of Essex be compared with that of Biron, for fairness, legal guarantee, and humanity. Winwood was not shocked or surprised, when the president De Thou answered his complaint of what he called a libel, by alleging the greater freedom "of tongue and pen," in France: he wrote this over to Cecil, as a truth known and undeniable.*

But whilst Elizabeth pressed with the hand of despotic power upon individuals and the great, she took care that its little finger only should be felt by the people. She saw the danger of waking the dormant spirit which had encountered such princes as the two great Edwards. Her very jealousy of her prerogative proves her secret consciousness that it was open to question: perhaps the "phrase," prerogative of the crown, implies, as a

* Win. Mem. ii. 320.

correlative, the liberties of the people. She systematically depressed and impoverished the peerage, which her father had already weakened by confiscation and the axe: her chief ministers were counsellors raised by her favour and their talents: the house of lords was a nullity in her reign.

It is unnecessary to recapitulate, from the preceding pages, the sweeping maxims, and guarded acts of despotism, which have suggested this view of the government of Elizabeth: but there was in it one great pervading defect, resulting from the selfishness of her character, which seems to have escaped observation. Where she was most studious to govern well, and to promote the interests of the people, she thought only of her own generation determined by her life: she checked and cut down the growth of abuses, but rooted up no one abuse, reformed no one political institution of the country. The administration of penal justice is a disgrace to her government: the tribunals were arbitrary; the procedure, upon imperfect and impure testimony and the confession of the accused under torture, was barbarous. She would have left the nation exposed, in its independence and religion, to all the disorders and chances of a disputed succession. It was a thoroughly selfish expression in her last sickness, "that she knew nothing in the world worthy to trouble her."—"Me pereunte pereat mundus," says one of the most selfish and odious of the Roman emperors.

Her foreign policy consisted in raising enemies, wherever she could, to the king of Spain, without embarking in the war as a principal. Another sovereign would have added the United Provinces to the crown of England, when the states-general offered her the sovereignty. France was not in a condition to interfere; Spain could not be more her enemy. The consequences to the naval, commercial, and imperial greatness of England are incalculable. It was not from moderation that she refused it. Selfish and childless, she governed

with a view only to her own life: she had no idea of labouring to confer posthumous benefits, or to earn posthumous renown. Her allowing the occasion to pass, can hardly be regretted. There would have been one illustrious example the less, in the annals of political government, of the blessing of Heaven upon those simple and solid virtues of the people which are called republican.

It is unnecessary to dwell upon the personal dispositions, weaknesses, or vices of this princess. She has been charged with avarice. "I never," said she, in her speech to her last parliament, "was any greedy, scraping grasper, nor a strait fast-holding prince, nor yet a waster." This cannot fairly be denied. It is true that the state papers of her reign are full of complaints by her ambassadors — from Walsingham to Winwood — of her not giving them the means of supporting their dignity; and that her court servants received from her insufficient allowances. She put the integrity of her ambassadors to a perilous ordeal, through which it passed with honour; the courtiers, as might be expected, male and female, supplied the deficiency of regular wages by the corrupt sale of court favour and public justice.* But the insufficiency of her allowances to her servants at home and abroad should be ascribed less to penury or saving, than to the state of her finances, and her politic reluctance to impose burdens upon the people.

She accepted rich presents in dresses and jewels from her subjects, and even from abroad. The Turkish sultana-mother sent her presents of this kind, with a letter from her highness's chief secretary, Esperanza Malchi, a Jewess.† But let it be remembered, that Elizabeth sold her jewels more than once for the service of the state. She was a hypocrite — but her hypocrisy was not the cunning, canting vice which goes by that name. It was strictly, in the original meaning of the term, the acting of her

* Birch's Memoirs, i. 354. † Ellis's Original Letters, iii. 52.

part. Indecision has been ascribed to her: it seems to have been a systematic, politic concealment of her intentions and movements.* To touch upon her gallantries would be to hazard a farcical association; and the matter, however interesting to the curious, has not much to do with the true purposes of history. Of two living historians, one has suggested "scandal" by circumstance and insinuation; whilst the other has made a gallant defence, through a dozen pages, for the chastity of queen Elizabeth. A youth of seventeen presented himself, in 1588, at the court of Spain, with a circumstantial account of his being the son of Leicester and Elizabeth, born at Hampton Court, and was received with the honours of his alleged birth.† What afterwards became of him does not appear.‡ The morality of her court has been severely judged by Faunt, whose letters may be seen in Birch's Memoirs.§ He imputes dissolute manners, corrupt conversation, and the want of godliness; whilst Harrington declares that Asmodeus was the Cupid of the court of Elizabeth. But let it be remembered, that it was a court, and the time the sixteenth century. Her love of finery and flattery in her old age has been rendered familiar to most readers. These weaknesses, contrasted with the greatness of her character, are matters rather of curious moral analysis than derogation.

Judging by the pictures of Elizabeth, she was never beautiful, — not even in her youth. There are two severely and sadly faithful portraits of her in her old age; the one in description, by Hentzner, a German, who visited England in 1598; the other an engraving from an unique fragment of one of her last broad pieces, possessed by Horace Walpole, containing her crowned

* "Through a seeming inconstancy," says Osborne, "or, as others will have it, one more natural, she did so often vary, as it was not easy to discover where or when she would conclude her buzzing and give the blow; by which unsteady carriage she so befooled the spies and pensioners of foreign princes," &c. Works, 365—369.

† Ellis's Original Letters, iii. 136. ‡ Id. ibid.

§ Birch's Memoirs, i.

head and ruffed neck in profile.* The high cheek bone, the sunken cheek, the drawn features, the mouth relaxed and receding, with the angles downward, exhibit not merely the waste, but more than the ugliness, of age. Hentzner, who visited the court, at Greenwich, in 1598, describes the pomps, the ceremonies, the genuflexions, the adorations, which surrounded an old woman with false red hair, her bosom naked, her face wrinkled, her teeth black, her fingers taper, and her whole person sparkling with jewels.†

More than enough has been said lately of the literary age of Elizabeth. Men of talent and discrimination have given valuable illustrations of its literature; and empiricism has luxuriated upon what it calls the Elizabethan age. Had Blackmore escaped the classic taste and deadly ridicule of the Popes and Swifts of the age of Anne, and written in the time and dialect of Elizabeth, he would find persons, in the nineteenth century, to call his fustian eloquence, his bombast elevation, his "swag-bellied clouds," rare felicity of imagery, expression, and observation of nature. Elizabeth herself was learned rather than accomplished; and had the taste of her age for conceits and pedantries. She protected no men of genius, and gave not the slightest aid to the cultivation of literature. But such men as Spenser, Hooker, and Shakspeare would render any age illustrious.

The fine arts were as little indebted to this great queen. In building, the taste of the middle age had vanished with its religion, and the Grecian had not yet succeeded the Gothic style. The great object was imposing size. There was what the Italians call the *grandioso*, but no beauty, no real sublimity. Elizabeth had some proficiency in music, none in paint-

* Royal and Noble Authors, art. Elizabeth.

† For the whole description of her court and person, which is curious, see a Latin extract in Birch's Negotiations, and the Travels of Hentzner, printed in English, by Horace Walpole, at Strawbery Hill.

ing, and no taste in either. Incapable herself of exercising an enlightened patronage, she did not recur to others of better taste; and the Reformation had cut off all communication with Italy, the nurse and parent of the fine arts. The music of her time is to be sought only in the forgotten or exploded pieces of Bull, Tallis, and Bird; whilst the pictures are, with few exceptions, inferior portraits made by Flemish adventurers who came to England for bread.

Her remains were removed from Richmond to Whitehall; but were not laid out for public view; and popular suspicions were entertained of foul play at court.* To gratify the common gaze, "her image in her parliament robes, with a crown on her head and a sceptre in her hand, all exquisitely framed to resemble the life †, was placed over the leaden coffin which enclosed the body, in the hearse which conveyed it thence to Henry VII.'s chapel, where, on the 28th of April, 1603, was consigned to the tomb "all that remained of the great Elizabeth."

* Sloane MSS. Ellis's Original Letters, ut suprà.
† Id. Ibid. iii. 195.

CHAP. IV.

1603—1604.

JAMES I.

REIGN OF JAMES. — ITS CHARACTER. — JAMES PROCLAIMED. — HIS TITLE. — ARABELLA STUART. — JAMES'S PROGRESS THROUGH ENGLAND. — HIS PERSON AND DEMEANOUR. — UNFAVOURABLE IMPRESSION OF HIM. — KNIGHTHOODS. — HIS RELATIONS WITH CECIL. — RALEIGH. — COBHAM. — GREY OF WILTON. — NORTHUMBERLAND. — THE ARRIVAL OF THE QUEEN. — NEW PEERS. — CORONATION. — PLAGUE. — FOREIGN EMBASSIES. — SULLY. — BARNEVELDT. — STATE OF PARTIES. — ROMAN CATHOLICS. — PERSECUTIONS. — CONSPIRACY. — TRIALS OF RALEIGH, GREY, COBHAM, WATSON, MARKHAM, ETC. — THE COUNTESS OF PEMBROKE TRIES TO SAVE RALEIGH. — UNEXPECTED REPRIEVE. — PURITANISM. — CONFERENCE AT HAMPTON COURT. — WHITGIFT. — BANCROFT. — DEATH OF WHITGIFT. — SUCCEEDED BY BANCROFT. — ALTERATION OF THE COMMON PRAYER BOOK BY THE KING. — MEETING OF PARLIAMENT. — UNION WITH SCOTLAND. — GRIEVANCES. — BACON. — PROROGATION. — VIEW OF THE HOUSE OF COMMONS. — SPANISH PEACE. — MISSIONS OF HERTFORD AND NOTTINGHAM. — STONE THE COURT FOOL. — THE GUNPOWDER TREASON. — LETTER TO MONTEAGLE. — CONVICTION AND EXECUTION OF THE CONSPIRATORS. — THE ENGLISH AND SCOTCH COURTIERS. — PRODIGALITY OF THE KING. — DISSOLUTENESS OF THE COURT.

1603. THE reign now commencing is the basest and most barren in English history. Peace abroad was but national ignominy. At home, courtiers, lawyers, and the clergy expounded the subject's duty of allegiance into a gross worship, the more revolting that the person who was its object was also an object of contempt and ridicule to Europe — of contempt and disgust to those who were near enough to see his life and character. The court was a fountain of political corruption and moral depravity: English character appeared to be in abeyance. But the future, meanwhile, was invisibly pre-

paring itself. A new race of men and principles was to follow. Both the writer and the reader, therefore, will naturally desire to hasten over this reign.

Elizabeth, it has been observed, died late in the night of the 24th of March. Cecil, with Nottingham, Egerton, and other courtiers of rank then at Richmond, came to London early next morning *, and held a council at Whitehall with several lords spiritual and temporal previously summoned.†

It is an anomalous fact that the title to the crown was the most undefined in the kingdom. The last will and testament of the sovereign, the authority of parliament, and the right of birth were strangely jumbled. But the right of birth seemed to predominate. Mary and Elizabeth walked to the throne over an act of parliament and their father's will.

To return to the council at Whitehall.—"After some speech had," says a manuscript account of the queen's death printed in Somers's Tracts, "of divers competitors and matters of state, at length the lord admiral rehearsed all the aforesaid premises (the queen's declaration of her successor as stated in this account) which the late queen had spoken to him and to the lord keeper and to Mr. Secretary (Cecil), with the manner thereof, which they being asked did affirm to be true upon their honours."‡ A proclamation was drawn up in the name of the lords spiritual and temporal then assembled, "united and assisted with the late queen's council, other principal gentlemen, the lord mayor, aldermen, and citizens of London, a multitude of other good subjects and commons of the realm," and setting forth as their only lawful, lineal, and rightful liege lord James of England, France, and Ireland, defender of the faith. It bore thirty-six signatures, with the name of Robert Lee, lord mayor of London, at their head §, and was read aloud by Cecil himself at White-

* Som. Tracts, ii. 248.
† Carte, iii. b. 20. Dépêches de Beaumont, Avril 1. 5. 8.
‡ Id. ibid.
§ The following are the names: —Robert Lee, lord mayor of London; the archbishop of Canterbury; the lord keeper Egerton; the bishops of London, Hereford, and Norwich; the earls of Oxford, Pembroke, Clanri-

hall and Cheapside with unanimous cheers from the people.

James was descended from Margaret, eldest sister of Henry VIII., whom the will and statute of that king excluded in favour of his younger sister Mary and her issue. This claim descended to the house of Hertford. Arabella Stuart was of kin to Margaret in the same degree with James through a younger branch; but had over him, an alien, the advantage of English birth. These two rival claims had combined by a secret promise of marriage between Arabella and William Seymour, grandson of the earl of Hertford. The framers of the proclamation were but private individuals, without commission from any order of the state, or from the people. Cecil took no other precaution than placing Arabella Stuart in custody, and seizing in two nights "800 vagabonds" in London, who were immediately sent off to serve on board the Dutch fleet!* Thus easy and irregular was the succession of a prince whose title by descent would not pass an estate of twenty marks†, and yet from whose accession was dated the doctrine of the indefeasible right of birth to the crown. The whole affair seems to have been arranged secretly and suspiciously, from the first indication of the queen's illness, by Cecil and Nottingham.

The arrangement of the succession in James was, however, a meritorious act. He had with him the opinion of the nation in favour of his right, against him every hostile or rival state. By placing the whole island under one sovereign, an important step was made towards completing the insular strength and safety of the kingdom. But it is a matter of indelible and deep reproach that no condition was made for the privileges of parliament and the liberties of the people against the

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carde, Lincoln, Nottingham, Northumberland, Shrewsbury, Derby, Worcester, Cumberland, and Sussex; the lords Buckhurst, La Warr, Morley, Cobham, Grey of Wilts, Scroope, Lumley, Cromwell, Rich, Hunsdon, Chandos, Compton, Norreys, and Howard of Walden; sir W. Knollis, sir Edward Wotton, sir J. Stanhope, sir Robert Cecil, sir J. Fortescue, and sir John Popham.

* Dépêches de Beaumont, in Carte, Gen. Hist. b. 20.

† See Hallam, Const. Hist. i. 388, &c.

prerogative, which had pressed so heavily on both in the late reign. It was hardly to be expected from the eager, selfish, and servile courtiers and expectants, lay and spiritual, who framed the proclamation. But whence the silence and absence of the commons who sat in the last and preceding parliaments? They were, it is true, no longer representatives, but neither were Cecil and his colleagues ministers or privy counsellors. The answer must be, that the commons had the sense only of their nullity. They wanted that sort of courage which Montesquieu has defined "le sentiment de sa propre force." The silence of the people is but a new proof that they had lost the tradition of English liberty. It has been said* that Sir Walter Raleigh proposed to make terms with James, and that this was the cause of his ruin. With his courage and talents, he was one of the most unprincipled courtiers of his time; and the secret correspondence of Cecil with James through lord Henry Howard proves that his great object was to penetrate and share the schemes of Cecil, in order to make terms with the successor for himself, not for his country. Essex alone was capable of entertaining and executing the purpose of limiting the prerogative and reforming the administration.

Meanwhile there were courtiers racing for life and death to bring the first news to the new king. The prize was won by sir Robert Carey, afterwards earl of Monmouth. He has told the particulars in his memoirs. This courtier, the son of lord Hunsdon, the queen's relative, whose fortune she had made, watched at her door in her last agony; received from his confederate sister within, the news of her last breath, with the credential token of a ring; contrived by means of his brother to leave the palace, of which the council had locked the gates to prevent their being anticipated; started for Scotland†, and arrived at Edinburgh on the

* Carte, iii. b. 20.; Osborne, and others.

† To contrast and account for the exclusive homage and fidelity of his court which surrounded Philip II. in his last moments, and the neglect and

26th of March. James concealed the news until sir Charles Percy and sir Thomas Somerset, who were despatched by the self-constituted council, reached him four days later with the formal intelligence of the queen's death and his being proclaimed. The king having received money for his journey from the council in London *, and having been refused the crown jewels to deck his queen †, left Edinburgh on the 6th of April, crossed the border next day, disgusted the people who crowded round him by his repulsive behaviour, especially to women, the meanness of his person, and the grotesque incumbrance of his dagger-proof dress; hunted, feasted, and made knights as he proceeded by short stages, resting at the houses of persons of rank on his way; and arrived at Theobald's in Hertfordshire, the residence of sir Robert Cecil, on the 3d of May. Two incidents in this journey are chronicled as remarkable ‡, the new king's courageously firing off with his own hand a piece of ordnance at Berwick, and his signing a warrant for the summary execution of a cut-purse who was hanged forthwith from a tree at Newark. § The latter was a bad omen of his justice, humanity, or knowledge of the laws of the country which, unhappily as it proved for his race, he was called to rule.

It has been written, that, conversing with some of his English counsellors, he exclaimed, in an ecstasy of surprise and joy, "Do I mak the judges? do I mak the bishops? then, Godis wauns! I mak what likes me law and gospel." ‖ This is not improbable. James appreciated, exercised, and abused his new dominion, like a clown whom some turn of fortune had suddenly raised, with a comic mixture of shrewdness and absurdity. Never was there a prince whom, at his accession, not only the rights of the subject, but the safe exercise

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ingratitude shown by the court of Elizabeth, would be worth the labour, but would exceed the compass, of a note in this place.

* Ellis, Orig. Lett., iii. 631. † Id. ibid.

‡ By Stow. § "By accident!" Ellis, Orig. Lett. iii. 74.

‖ Tract, entitled "Art of governing by Parties," ascribed to Toland.

of the executive power, more manifestly required to be controlled. But there was no public spirit, no public wisdom, left among the surviving counsellors of Elizabeth. The personal share of that great queen in the administration of her government may be best estimated from the residue upon her separation from it.

The king, having arrived at Theobald's, feasted there during four days; adopted Cecil, Nottingham, Buckhurst, Egerton, lords Henry and Thomas Howard, and lord Mountjoy, into his council; added to those, from his Scotch escort, Lenox, Marr, Kinloss, and Elphinstone; and was received in London, on the 7th of May, by the lord mayor, sheriffs, and citizens with all manner of loyal acclamation. James, notwithstanding the pompous descriptions in the chronicles of the time, complained of the small escort of persons of rank after he crossed the border.* As if to supply their place, he created knights promiscuously on his way; at Theobald's, at the Charter-house, to which he was conducted on his first entrance into the capital, and at Whitehall; making altogether above 200. The multitude were cool towards the late queen since the execution of Essex.† But this does not excuse the besotted

* Ellis, Orig. Lett. iii. 70.

† The following passage, from an account of the queen's death already cited (Sloane MS., in Ellis's Orig. Lett. iii.), contains a striking sketch, probably by an eye-witness, of the mixed popular feelings which were expressed round her hearse: —

"At the sight hereof (the queen's remains), divers of the beholders fell a-weeping, especially women, who naturally are tender of heart, and have tears at commandment. Then the people began to talk diversely: many seeming to marvel at vain and ordinary things; as, namely, that living and dying a virgin, she was born on the vigil of that feast which was yearly kept in remembrance of the birth of our Lady the Virgin, and that she died on the vigil of the feast of the Annunciation of our Lady; that she departed the world at Richmond (where her grandfather, king Henry VII., whom she very much resembled, ended his life), and upon the self-same day of the week whereon he deceased; that she had reigned so many years as the greater part then living had never known other prince. Some, also, there were that spake fondly of predictions going before her death; and, among others, it was given out, that an old lion in the Tower, bearing her name (during the time of her sickness), pined away and died.

"But, among men of better understanding, the actions of her life and the manner of her government were called to mind and canvassed. Some recounted the long and peaceable time of her reign, her clemency, and other virtues; wishing that things might continue in no worse state than they had done, alleging the old proverb, 'that seldom cometh the better.' Others, again, complained that they would not lightly be in worse state than they

levity and blatant joy with which they received her successor. It would be mere commonplace to censure the inconstancy and ingratitude of the populace of courtiers. Two acts of the king, on his arrival in the capital, should not be passed over: he suspended by proclamation all patents of monopoly granted by the late queen,—a proof, by the way, that she had not redeemed, or but imperfectly, her pledge to her last parliament. He caused one Valentine Thomas, who had lain in prison since 1598, to be tried and executed upon his own confession, says Camden, that he had conspired against the queen's life. This person had presented himself to Elizabeth as suborned by James to destroy her. Elizabeth, disbelieving his statement, or believing it, like many others, but thinking it inexpedient to notice it, kept him in prison without trial. James protested his innocence, and demanded an enquiry; but he also protested his innocence of all share in the designs of Essex.* The monstrous admission of a design against the life of the queen must have been extorted from Thomas on the rack, in order to afford a plausible ground of law for sacrificing a human victim to gratify James's passing humour of revenge.

From Theobald's he had sent for his queen and family, whom, with the exception of the infant duke of York, his unhappy successor, he met at Windsor, towards the end of June. Their coronation took place on the 17th of July. The ceremony was most inauspi-

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were, considering that the people, generally, were much impoverished by continual subsidies and taxes, besides other exactions and contributions extorted by corrupt officers; *that little or no equality was used in those impositions* — the meaner sort commonly sustaining the greater burthen, and the wealthier no more than themselves listed to bear; that wrongs, now and then, were either bolstered out by authority, or winked at for private respect; that many privileges had passed under her name for the benefit of some particular men, to the detriment of the commonwealth. Albeit it could not be denied but that of herself naturally she was well disposed, if she had not been misled by over much credulity and secret informations of persons about her; an inconvenience which even the best princes oftimes can hardly avoid.

"These and the like matters were diversely argued, as it falls out commonly upon like occasions, while the mourners passed along attending the corpse."

* In his instructions his ambassadors, Birch, ii. ad finem.

cious. The day was remarkable for the worst weather remembered at that season; and 1100 persons died the same week, in London, of plague.

James was congratulated on his accession by embassies from foreign powers in amity or alliance with the late queen. The states of Holland sent over prince Frederick of Nassau and the famous Barnevelt: they solicited the continuance of that support which Elizabeth had given them against Spain. James answered evasively, and privately declared that the Dutch were no better than rebels and traitors.* The celebrated Rosni came with the congratulations of Henry IV. That prince had sounded Cecil, through his ambassador, as to the exclusion of James, a short time before the queen's death†; but, meeting no response, turned suddenly round, and now sought his friendship with the most earnest protestations. Rosni, however, returned to France with great contempt for the puerilities and pedantries of James, after having renewed with him the treaty between Henry and Elizabeth for the common defence of the United Provinces, shaken the credit of Cecil, and distributed bribes and pensions in the English court, — if credit be due to the memoirs bearing his name.* Count d'Aremberg came as ambassador from the archduke, who professed to regard James as a prince with whom he was in amity, and was well received. This envoy pretended illness, in order to defer his audience until Rosni was gone.§ The purpose of his mission was to counteract Rosni, and sound the king's intentions respecting his policy towards Spain; in both of which he succeeded. The embassies from Denmark, the Pala-

* Van Meteren, Hist. des Pays Bas, liv. 15.

† Birch's Mem. ii. 515.

‡ Œcon. Roy. iii. 370, &c. Another boast of Rosni in these memoirs (better known as Mémoires du Duc de Sully), is, that, up to his coming, James spoke of the Hollanders as rebels to their prince, but that his influence changed the king's opinion. It is stated further, in numberless printed books, that Rosni appeared at James's court in mourning for Elizabeth, out of respect of her memory, in defiance of James. The simple fact, as stated by himself, was, that he came over dressed in mourning, as he expected to find the court; but finding it otherwise, ordered his retinue to get themselves gay clothes, as best they could.

§ Birch, Neg. 217.

tinate, Tuscany, and Venice, and some minor German states, were matters of mere compliment. The king's uniform answer was, "above all things, peace"—his declared motto, "Beati pacifici." This disposition would have been a blessing in a wise and firm prince; but in James it proceeded from baseness of spirit and a certain timidity, amounting to a vice of constitutional temperament.

James, in Scotland, was kept in a state of continual terror and mortification by fierce lords, who threatened and offered violence to his person, and by kirk ministers, who publicly censured his government and private life with familiar and wholly unwarrantable insolence. From the homage which surrounded Elizabeth, and the flatteries of her courtiers, who were the grossest flatterers of their time, he expected in England luxurious ease, as well as obedient homage: he soon found it otherwise. The distributions of places and titles produced mutual antipathies and complaints both from the English and Scotch. He raised to the rank of barons secretary Cecil, sir Robert Sidney, sir W. Knollys, sir Edward Wotton, the chancellor Egerton by the title of Ellesmere, and made lords Henry and Thomas Howard earls of Northampton and Suffolk. At the same time he made his Scotch courtier Ramsey, (who had rescued his life by stabbing Gowrie, according to James's account—murdered him by James's orders, according to others;) Hay, Hume, Erskine, and Preston, English earls, by the titles of Holderness, Haddington, Dunbar, Kelly, and Kildare. The order of the garter was conferred on the earls of Southampton and Pembroke, prince Henry, the duke of Lenox, and the earl of Marr. The Scotch had certainly no reason to complain: they invaded the council, the peerage, and the court. The English exhaled their national dislike and particular jealousy by satirical ballads and epigrams.* James made a new batch of English peers, among whom may be distinguished the names of

* See Osborne's Memoirs of King James.

Russell, Petre, Grey, Spencer: Blount, lord Mountjoy, was made earl of Devonshire. But honourable names could not rescue the prodigality of titles from ridicule; and the new knighthoods, especially, were laughed at even by the common people.

A schism between Cecil and his friends produced an incident more serious, which it is difficult to render intelligible with a due regard to the authorities respecting it. Cecil having relieved himself from Essex, his next object was to be rid of Raleigh, whose capacity and hatred he had used against the common enemy, and now feared for himself. The friends of Essex, it was expected, would be received by the new king into special favour; and his warrant for the release of Southampton, sir Henry Neville, and other prisoners, for their participation in that affair, sent off upon his crossing the border, countenanced the opinion. It was said that he called Essex his martyr. But it is obvious, from the letters between him and Northumberland*, that he did not regret the death of Essex. James was one of those weak persons who are incapable of either gratitude or vengeance. The impression of services and wrongs upon his heart was as writing in the dust.† This should never be lost sight of in tracing his actions to their motives. He threw himself into the arms of Cecil, the son of his mother's chief executioner; and he showed favour to the Howards, not, as it has been supposed, from the tragical association of that name with Mary queen of Scots, but because Cecil saw his interest in uniting himself with Nottingham and the two lords Henry and Thomas Howard.

Raleigh and Cecil, on the arrival of James, became mortal enemies. There is nothing in the secret correspondence ‡ to account for the complete triumph of the latter. It must therefore have been produced by some

* Miss Aikin's Memoirs of the Court of King James, i. 50.
† See Clarendon Hist., &c. &c. p. 32.
‡ Dalrymple's Secret Correspondence of Sir Rob. Cecil with James VI. King of Scotland.

practice upon James after he left Scotland. Raleigh's party consisted of Cobham, Grey of Wilton, and Northumberland. Cobham was one of the first who joined the king after he crossed the border, and laboured to effect the ruin of Cecil*, in the simplicity of his utter ignorance of the good understanding between Cecil and James. Cecil, who met the king at York, was doubtless informed of the attempts thus made against him, and contrived, during the journey to Theobald's, to retaliate with fatal vengeance. Raleigh was deprived of his captaincy of the guards and wardenship of the stannaries; Grey of Wilton was incensed at the favour shown his enemy Southampton, whilst he was himself neglected; Northumberland, to whom James, with Cecil's knowledge, wrote a letter merely to amuse him, as a child with a rattle †,— an overrated person, who, by one of the most unhappy junctions, united ambition with weakness,—was in confinement for having offered a personal outrage at court to sir Francis Vere. Cobham was a mere tool in the hands of Raleigh.

James is said to have had the humane and salutary feeling—perhaps his only good feeling, if really his—that it was odious to be a persecutor. It is certain that he had made promises at home and abroad* of indulgence to Roman catholics, on coming to the crown. His fear of the cry of "papist," with which he was threatened, if not assailed, after he became king, and which would have shaken a man of more firmness of nerves and principles, may have prevented his fulfilment of his pledge. With his utter and habitual want of truth, he even disavowed it; swore in his council that he would fight to death (he, who could not see a drawn sword without trembling) against a toleration§; and sent Tyrone, with other deputies from Ireland, to the Tower, for the offence of petitioning for it.|| The

* Carte, Gen. Hist. b. 20.

† "*Ut crepitaculum datur pueris ne quid perfringant in domo,*" writes lord H. Howard, who conducted the correspondence for Cecil. (See Corr.65.)

‡ For an account of his intrigues, see the Negotiations of sir Henry Neville, and other parts of Winwood's Memorials.

§ Dép. de Beaum., cited by Carte, b. 20. || Id. ibid.

catholics were disappointed and irritated, and Raleigh and his friends were in a temper for conspiracy. The plot alleged to have resulted from these circumstances was two if not three fold. Watson, a secular priest, formed a scheme for seizing the king's person, conveying him to the Tower, and extorting from him a change of ministers and liberty of conscience. To one set of accomplices Watson communicated his plot, as having for its object to rescue the king from an intended attempt of the puritans upon his liberty or life, and present a petition for toleration after having merited it by this service; to others he revealed the whole and real design. Sir Griffith Markham, who undertook the surprise of the king's person, was soon joined by Brooke, brother of lord Cobham, and by lord Grey of Wilton. At the same time, sir Walter Raleigh and Cobham were plotting with the archduke, through the envoy D'Aremberg, to take away the lives of the king and his eldest son prince Henry, and place Arabella Stuart on the throne. Here are Raleigh, reputed a freethinker, or, as it was then called, an atheist; Grey, a puritan; and Watson, a Roman catholic priest, engaged in a heterogeneous conspiracy, agreeing only in one treason — the establishment of a general religious toleration. Sir Edward Coke, the attorney-general, who expounded the Bible, as he did the law, in a spirit at once sanguinary and whimsical, overcame the difficulty by saying, — "Those treasons were, as Samson's foxes, joined in the tail, though their heads were severed."

There are two versions of the manner in which the information reached the government: one, that the jesuits, who hated Watson and the other secular priests, denounced him, his purposes and his accomplices, to Cecil; the other, that Copley, one of the conspirators, having dropped some mysterious expressions to his sister, was taken into custody, and made full confession, upon which all the parties were secured.

Sir Griffith Markham, sir Edward Parham, Brooke brother of lord Cobham, Brookesby, Copley, Watson,

and Clarke, the two latter priests, were tried and convicted,—with the exception of Parham,—upon their criminations of each other and themselves, by a special commission, on the 15th of November, at Winchester Theirs was called, at the time, by the cant name of the "bye-plot;" whilst Raleigh's was called "the main." Raleigh was arraigned on the 17th. It is unnecessary to go into the copious and rambling account of his trial prefixed to his History of the World. The spirit of the prosecution may be judged from the first words addressed by serjeant Heale to the jury:—"You have heard," says he, "of Raleigh's bloody attempts to kill the king and the royal progeny; and, in place thereof, advance one Arabella Stuart, who has no more title to the crown than I have:"*—then further adding, after a short pause, "that he, for his part, did disclaim and renounce all title thereunto; whereat sir W. Raleigh smiled."† Sir Edward Coke exceeded, if that was possible, the usual measure of his baseness and brutality. It has been more noticed in this than in other trials, from the contrast with Raleigh's temper, and talent. "Raleigh answered," says sir Dudley Carlton, "with that temper, wit, learning, courage, and judgment, that, save that it went to the hazard of his life, it was the happiest day that ever he spent." He came, it was said, to his trial the most unpopular man in England: he left the court the most popular. A Scotchman, whom the king had sent to bring him an account of the proceedings, declared on his return that he would have gone a hundred miles to see him hanged in the morning, and would have gone a hundred miles to save his life before they parted in the evening.‡ The report of the trial does not bear out these eulogies; but much in those cases depends upon voice, countenance, and demeanour. The only evidence against Raleigh

* This lady, whose name was so frequently used, was present at the trial. Hard. State Papers, 378—393.

† Hard. State Papers, i. 378, &c. Som. Tracts, ii. 410.

‡ Sir D. C. Hard. State Papers, ut suprà.

was the written examination of his friend and accomplice, Cobham. A letter from Cobham, retracting the charge, was produced by sir Walter in answer.† Raleigh was asked whether he would abide the issue of Cobham's having disavowed this letter and re-asserted the charge. He refused, at first, to stake his life upon "the act of so weak a man as Cobham," but was worried or fatigued to consent. The council for the crown produced Cobham's re-assertion of the accusation. Raleigh demanded that Cobham should be produced and confronted with him, and cited the statute of the 25 Edw. 3., which requires two witnesses. Cobham was not produced, and Raleigh was told by the judges the 25 of Edw. 3. was no longer in force! The jury out of base fear found him guilty. Neither the atrocity of Coke, nor the iniquity of the judges, could have blinded their understandings to the nature of the evidence.

Whatever doubts may be entertained of Raleigh's guilt or innocence, there can be none of the wickedness of his conviction,—as, indeed, of almost every other conviction at the time. The 25 Edw. 3. and Magna Charta were, the one expressly, the other tacitly, treated by the crown lawyers and judges as repealed obliquely in recent statutes. But the evidence against Raleigh was still worse than the procedure,—the information of one witness sworn, retracted, and re-sworn, and that witness not produced! Cobham declared that the exculpation of Raleigh was obtained from him by an artifice of the son of the lieutenant of the Tower, employed by Raleigh for the purpose. The letter, on the other hand, in which he repeated the charge was said to have been obtained from him through a gross fraud practised, at the instigation of Cecil, by his creature Wade.† It is not enough that Cecil was

* Another account of this trial, professing to be written by sir Thomas Overbury, says, in reference to this letter, "Master attorney (Coke) would not have it read, but said, 'My lord Cecil, *you mar a good cause.*' My lord Cecil replied, 'Master attorney, you are more peremptory than honest. You must not come here to show me what to do.' Then sir Walter desired my lord Cecil particularly to read it, because he knew my lord Cobham's hand, which, at his request, he did." — *Som. Tracts*, ii. 419.

† This rests on the authority of Weldon's Memoirs; but there is much

capable of such an act, when there are no sufficient proofs against him. But the French ambassador, Beaumont, described him as actuated by malice and his interest against Raleigh *: this ambassador also communicated, in his despatches to his court, that Raleigh and his party, after attempting in vain to practise against the king with himself and Sully, and meeting not encouragement but rebuke, had recourse to D'Aremberg, who entered into their views; and that he was justly though not legally condemned.† Cobham, it should also be considered, reiterated his charge on the verge of the grave. Raleigh's attempt upon his own life in the Tower, whether pretended or real, though pressed into the service by both parties, proves nothing for either. In fine, it may be safely inferred that he at least took steps towards engaging himself as the pensioned spy of Spain, through the medium of Cobham and D'Aremberg.

It is gratifying to encounter, amid these sad details, a trait of conduct in the chivalrous spirit which gave lustre to the preceding age. The countess of Pembroke, the accomplished and celebrated sister of sir Philip Sidney, to whom he dedicated his Arcadia, wrote to her second son, one of the king's favourites, charging him, upon her blessing, to use his own credit, that of his friends, and all the means in his power, to obtain the pardon of Raleigh. Her motive is too happily expressed in the following words of a contemporary to be conveyed in any other,—"And though she does little good," says sir Dudley Carlton, "yet she is to be commended for doing her best, in showing *priscæ vestigia flammæ*."‡

Lords Cobham and Grey of Wilton were tried by the peers. The conduct of the former was abject in the extreme: he accused others and himself,—begged for

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improbability. The signature might have been obtained surreptitiously; but the body of the writing was also in Cobham's hand.

* Dép. de M. de Beaumont, cited in Carte, b. 20.

† Carte, Dépêches de M. de Beaumont, ut suprè.

‡ Hard. State Papers, ut suprà.

mercy for himself alone, and trembled during the proceedings. Grey of Wilton came to his trial, defended himself with undaunted courage, and was condemned by the peers with hesitation and regret.* Being asked the usual question, what he had to say against the sentence of death, he answered, "I have nothing to say;" paused for a moment, and resumed, "And yet a word of Tacitus comes in my mind: *Non eadem omnibus decora.* The house of the Wiltons has spent many lives in their princes' service, and Grey cannot beg his." The lord steward reproached him with the pride of Lucifer; and Southampton, his private enemy, was silent in his presence, but urged his guilt when the peers withdrew.†

Watson, Clarke, and Brooke were executed with the usual and unutterable barbarities. It is a melancholy phenomenon in human nature, or human conduct, that men, otherwise not reputed cruel, should have been found, in the nineteenth century, to make battle in parliament for these atrocities. Those who propound innovation should doubtless be severely questioned; but those who resist it should also be questioned, as severely, by others, and, if they be well-meaning, by themselves.

A scene extraordinary and unparalleled now followed. Sir Henry Tichborne received the king's warrant, dated Wednesday the 7th, for the execution of Markham, Grey, and Cobham, at ten in the morning, on Friday the 9th of December. Markham was the first led to the scaffold. He had received intimations of pardon to the last moment, complained of his being deluded and unprepared, yet showed no want of resolution; rejected the bandage for his eyes, declaring that he could look on death without blushing, prayed, and arranged himself for the block. When he expected the fatal stroke, the sheriff announced to him a respite of two hours to prepare for death, and locked him up alone in prince

* Hard. State Papers, ut suprà.
† Letter of sir Dudley Carlton, ut suprà.

Arthur's Hall. Grey came next, "cheerful as a bridegroom *," escorted by several of his friends, and displayed not only undaunted courage, but fervent piety. When he was preparing for the block, the sheriff told him he had the king's orders that Cobham should precede him, and led him away. Cobham was now brought to the scaffold: he disappointed anticipation by manifesting the utmost firmness and contempt of death — so capricious is human courage, or so anomalous human character, — repeated his charge against Raleigh, and "took it upon his soul's resurrection that his confession was true." The sheriff told him he was yet to be confronted with some prisoners. The spectators knew not what to think; Markham and Grey were again led to the scaffold upon which Cobham stood; they beheld each other with amazement, as if risen from the dead; and the sheriff now closed this strange tragi-comedy, by announcing that the king, notwithstanding their guilt, spared their lives.

James had spun out of his own brain, without the slightest communication of his purpose to his counsellors, or any other person †, this strange piece of cunning foolery, in order to have the benefit of their dying declarations without putting them to death! He exulted in this specimen of his kingcraft, as he called it; and, what is still more strange, he was exalted to the skies for his mercy as the Titus, for his wisdom as the Solomon, of the age. Two accidents were near defeating this merciful wisdom of the king. He forgot, in the first instance, to sign the warrant of respite; and the messenger, who arrived near the fatal hour, found it difficult to reach the sheriff through the crowd. What a government, with the penal justice of the nation in such hands, and the lives of men at the hazard of such sad buffooneries!

Cobham lived and died despised and utterly destitute, his estate having been forfeited. Grey, young, gallant,

* Letter of sir Dudley Carlton, ut suprà.
† Cecil's Letter, in Winwood's Memorials, ii. 11.

fiery, and ambitious, died at the end of ten years a prisoner in the Tower. Raleigh, whose execution was to take place two days later, was sent to the Tower, and will again reappear to die for this offence after it was purged, even supposing him guilty. Markham, Brookesby, and Copley were banished the kingdom.

James, having thus exhibited his proficiency in kingcraft to his admiring subjects, soon found an opportunity to exhibit his prowess as a theologian. He had no less disappointed the hopes of the catholics than of the puritans. The latter, or the less reflecting and informed among them, expected favour from a presbyterian king, who, in addressing the General Assembly at Edinburgh some years before, said, that "as for their neighbour kirk of England, it was an ill-said mass in English, wanting nothing of the mass but the liftings; but the kirk of Scotland was the sincerest (purest) in the world." * But James had renounced this opinion, or, more probably, never entertained it. In his "Basilicon Doron," he tells his son to "take heed of such puritans, very pests to the church and commonweal. . . . . I protest," he continues, "before the great God, and, since I am here as upon my testament, it is no place for me to lie in, that ye shall never find, with any highland or border thieves, greater ingratitude, and more lies and vile perjuries, than with these fanatic spirits; and suffer not the principal of them to brook your land if ye like to sit at rest, except ye would keep them for trying your patience, as Socrates did an evil wife." † James, puffed up with his abstract notions of divine right, and called continually to account with provoking arrogance by the Scotch preachers, must have

* Calderwood, Hist. of the Church of Scot. 256.

† The publication of such language by James in the face of the kirk, and in Scotland, before he became king of England, has been very naturally thought strange, and accounted for by various efforts of ingenuity. The simple fact and solution seem to be, that the book was printed, not published (see Brodie's British Empire and Calderwood's Church History), only a few copies being privately struck off, and as privately confided to chosen friends. The scarcity of the Scotch impression is alone proof of this.

regarded the kirk with a secret aversion more deep-rooted and sincere than his dislike of popery. A king of more force of character and capacity would have felt like him. Puritanism and the papacy were agreed in one actuating principle, one leading object, — to render the temporal subject to the spiritual power. Such was the common aim of Knox and Hildebrand. But the pope had become the less dangerous of the two to a sovereign: he was an individual without the realm, who might be gained by compromise: it was impossible to come to a private understanding of policy or interest with a multitude of insubordinate heated preachers within the kingdom. The indirect operation of puritanism was also more alarming to the temporal sovereign. The pope's pretensions to independent or superior right could never communicate itself to the people; his elevation above the laity, and his policy, would alike prevent it: but the puritan ministers were not segregated from the people by the sanctity of symbols or ceremonials; they lived among and were of the people, and, by contact and affinity, their assertion of spiritual independence as members of the church would produce political independence, and the sentiment of freedom, in the community at large. Hence the puritans were not regarded with more jealousy and aversion by James than by the despotic and sagacious Elizabeth.

The puritans now presented what was called their millenary petition, from the intention, not the fact, of ts being signed by a thousand ministers, "for reformation of certain ceremonies and abuses in the church," and for a conference. The king unexpectedly granted the conference, either supposing it would promote his secret views of imposing episcopacy upon the Scotch, or from the mere vanity of displaying his erudition and capacity. It took place, during three alternate days, at Hampton Court, in the beginning of January. Whitgift, archbishop of Canterbury, Bancroft, bishop of London, with several prelates and other dignitaries, appeared on behalf of the high church; doctors Reynolds

and Sparks, professors of divinity at Oxford, Chadderton and Knewstubs of Cambridge, maintained, or rather would maintain, had they been allowed, the cause of puritanism. King James sat upon his polemic throne as "moderator." The spectators were the lords of the council, who sometimes interfered as *amici curiæ*. The points in dispute were not all of mere ceremonial, and some were far from being so frivolous as they are sometimes represented. Among them were the following:—That, in baptism, interrogatories should not be ministered to infants; that the canonical Scriptures only should be read; that the book of common prayer should be revised; that none but good and sufficient men be admitted to the ministry; that non-residence, pluralities, and bishops' commendams, be abolished; that the enormous abuses of excommunication, of oaths *ex officio*, and of suits in the ecclesiastical courts, be corrected; that subscription to articles be less rigorously exacted. The use of the cope, the surplice, the cross in baptism, the ring in marriage, bowing at certain places and times, were treated *pari passu* with the foregoing questions; and the king's conduct would have given an air of ridicule to matters the most serious. It would be inconsistent in these pages to enter into the dispute; suffice it to say, that the moderator, James, became a vehement, and, as usual in such disputes, a scurrilous partisan. After interrupting and silencing the puritans, he asked Reynolds, "Well, doctor, have you any thing more to say?" The doctor replied, "No, please your majesty;" upon which his majesty, by his own account, told a man who was among the most conversant of his time with divinity and logic, that had they thus disputed in a college, and he (the king) been moderator, he would have them "fetched up and the rod applied;" that he would have them conform, or he would hurry them out of the land; in short, that he would have one doctrine, one discipline, one religion, in substance and ceremony; that he found the puritans aiming at the Scotch presbytery, which agreed with monarchy as God and the

devil; that Jack and Tom, and Will and Dick, would be censuring at their pleasure him and his council; that, if seven years hence he became pursy and fat, with his windpipe stuffed, he might hearken to the puritans, whose government would keep him in breath. Then, turning to the bishops, he touched his hat, and said, "My lords, if you were once out, and they in your place, I know what would become of my supremacy; for, no bishop, no king." Bancroft, who had before thrown himself on his knees, and implored his majesty "to stop the mouth of a schismatic," was again on his knees, protesting "his heart melted for joy that Almighty God had, in his singular mercy, given them such a king as had not been seen since Christ's time." The chancellor Egerton said, "he had never seen the king and priest so fully united in one person;" and archbishop Whitgift cried out, "that his majesty spoke by the spirit of God." The result, or one of the results, was, that the king caused the common prayer book to be reprinted with some amendments, and a proclamation ordering conformity prefixed; — thus altering, by his single act and authority, a form of worship established by act of parliament. Whitgift soon died, it was said of grief for the slight amendments, and was succeeded by Bancroft.

It should be added, that the puritans who sought relief were as intolerant and unreasonable as the bishops, perhaps even more. The bishops would impose upon reluctant consciences the cope, surplice, cross, and ring; the puritans would withhold them from those who felt it a point of conscience to employ them; whilst the king, in his supremacy over both, claimed the right to dictate the religion of the people in the plenitude of his wisdom and prerogative. The puritans were as dissatisfied as might be expected; the bishops were alarmed at the king's altering the book of common prayer without reference to the clergy in convocation; and a third party of political puritans were justly in-

censed by the king's assumption of a despotic power in all matters, whether civil or ecclesiastical.*

Such was the state and temper of parties, when his necessities forced James to call a parliament: it was his last resource. He had exhausted his credit with the money dealers, both in London and Holland, to supply his prodigalities, before he issued his proclamation for the meeting of parliament on the 19th of March. This proclamation, in which, with his accustomed spirit of meddling dictation, he prescribed rules for the elections†, gave just offence. He opened the session with a speech of rambling egotism, dictation, and despotism, exceeding the usual length of a sermon, and beginning and ending with the declaration, that he then occupied "a seat which God, by his birth, had in the fulness of time provided for him, and not any particular persons." The speaker, sir Edward Phillips, a sergeant-at-law, responded that, "as the supreme and all-powerful king of heaven created man to govern his works, so did he depute terrestrial kings, in whom his image was, to govern man." The majority of the commons, however, entertained somewhat different sentiments as to the nature and extent of the royal power. The first act of this parliament was a statute recognising the king's title, which implied a flaw in his divine right of lineal succession. A serious collision followed upon an election case, which stands conspicuous in the history of the privileges of the commons. The county of Buckingham returned sir Francis Goodwin: he was rejected, *quia utlegatus* (because outlawed), by the clerk of the crown in chancery, on the authority of the king's proclamation, which was contravened by his election, and sir

* "The two universities were not silent on the occasion. Oxford put forth an answer to the millenary petition, in which the high church doctors declare, that the puritans, having *once subscribed*, are concluded from *ever complaining of subscription*. The Cambridge divines congratulated those of Oxford on their triumph over the puritans, whom they style *homuncionès miserrimos*, who presumed to dispute before so wise and learned a king."—*Neal's History of the Puritans*, i. 409, 410.

† Rymer, xvi. 561.

John Fortescue returned, upon a second writ, in his place. The commons took up the matter, as of their proper cognizance. A message from the lords, suggested by the king, and proposed by Cecil, for a conference on the subject, was rejected with some spirit as an undue interference. A conference was again requested by the king's order, and again refused through the speaker. The king next *ordered* that the commons should confer with his judges, and they reluctantly complied. By a compromise between the king and the commons, the elections of Goodwin and Fortescue were both set aside, and a new writ was issued. As a part of this compromise, it should be observed that Goodwin waved his right. This decision, though not unequivocal, yet secured the jurisdiction of the house of commons over the return of its members. The case of sir T. Shirley, which soon followed, established the right of the commons to punish the parties to the suit, or the officers executing the warrant for arresting or detaining the person of a member for debt.

The king strongly urged in his speech a union of the two kingdoms of England and Scotland: it proved equally disagreeable to both nations. The Scotch would not be governed by English laws; and the English would not unite with a people, their antipathy to which was irritated by the recent immigration in the train of the king. James sent a plan of union, drawn up by himself, to both houses, and addressed a letter in his own hand on the subject to the commons.* They merely appointed a committee to discuss the matter with Scotch commissioners, but without power to conclude any thing. He, however, took the title of king of Great Britain, France, and Ireland.

The king, intolerant of those abuses which he had not created, or by which he did not profit, revoked the patents of monopoly to individuals granted by the late queen. The chartered monopolies of companies still

* Parl. Hist. i. 1603 4

remained. These companies, even of foreigners, such as that of the Hanse towns, chartered by Edward, and unchartered by Elizabeth, are of great advantage in the infancy of trade and the useful arts, but shackle and centralise commerce as it advances. The commons instituted an enquiry into this matter, but no enactment followed. The grievance of wardships, from which the king as guardian, and Cecil as master of the court, drew largely *, and the old grievance of purveyance, were taken into consideration; but the indemnity to the king could not be arranged, and both subjects were for that time abandoned. Bacon appears in this parliament the most popular member of the house of commons, the most eager aspirant for court favour, and the grossest flatterer of the king, — a proof how feeble must still have been the popular spirit in that house, or how adroit must have been the management of Bacon. Reporting a conference on wardships before the king in council, he began as follows: — "The king said he would be president himself . . . . It was the voice of God in man, — the good spirit of God in the mouth of man. I do not say the voice of God, and not of man; I am not one of Herod's flatterers. A curse fell upon him that said it, a curse on him that suffered it." This curse of Herod fell upon him who suffered it, in his posterity, and upon the illustrious sycophant who uttered it, in his person and fame.

The king's great object was a supply, and the members of the privy council expatiated on his expenditure and wants: the temper of the commons, however, was such, that he wrote them a letter, forbidding them to vote a subsidy which they showed little disposition to bestow. They voted him only the permanent revenue of tonnage and poundage.†

* The king, as guardian, received the proceeds of the wards' estates up to the full age of twenty-one, without accounting; and Cecil's income has been stated at 40,000*l.* a year.

† The rates were (see Parl. Hist. 1046.) 3*s.* on every tun of wine imported; but on a tun of sweet wine 6*s.* and 1*s.* on every awm of Rhenish. The poundage was 1*s.* on every 20*s.* worth of goods or merchandise im-

On the 7th of July, the king prorogued the parliament to the next following 7th of February. There is no trace of any speech by the king, who was probably not in the best temper. The speaker delivered a speech of inordinate length.*

The length of this session, and a review of its proceedings, suggest the observation, that the courage of the commons rose in proportion to the decrease of vigour in the crown; and that the tone of prerogative, compared with the late reign, rose with the debility and folly of James, compared with the strength and prudence of Elizabeth. This state of things led naturally to the great catastrophe of the next reign. The only matter of surprise is, that it was delayed so long. The English are patient of abuses—perhaps even somewhat slow of apprehension: they at least want that vivacity of sentiment and imagination, through which a neighbouring people are more easily wrought to terrible commotion or glorious enterprise. A wise and well-meaning government, therefore, would see the perfect safety of being in advance of opinion in England: but how few governments have been well-meaning!—how fewer still have been wise! When English patience is abused, and English opinion is resisted, until the deep-seated passion of the people is called into play, woe to the government or other power which should provoke the shock!

James imagined that all relations of state were inhe-

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ported and exported, excepting woollen manufactures; and tin and pewter were to pay 2*s*. A denizen was to pay, for every sack of wool, 33*s*. 4*d*.; and for every 240 woolfells, the same; and for every last of hides and backs, 3*l*. 6*s*. 8*d*.

* A piece first published in Petyt's Parl., under the title of "Apology of the House of Commons made to the King touching their Privileges," has received great importance from Mr. Hallam. Had it been presented to the king, or adopted by the house, or even entered on the journals, it would be entitled to consideration; but as it stands, it can be regarded only as an able and learned defence of the privileges of the commons, with no other than its intrinsic authority. It requires but a mover and seconder to record such a document; and there are many amendments to addresses on the journals of the house of commons, which would be very fallacious tests of the unreformed parliament.

rent in his person; and that, upon his accession to the throne, England was *ipso facto* at peace with Spain, because peace was the relation between Spain and Scotland. Thus ignorant was this universal genius, as he was proclaimed by so many flatterers, of the attributes of sovereignty and the law of nations. On the 23d of June, 1603, he had issued a proclamation recalling all letters of marque granted by the late queen, and restoring commercial intercourse with Spain. Velasco, admiral of Castile, from policy, or the dilatory character of Spanish councils, did not arrive in England to negotiate the peace until the beginning of August; but the negotiation had been already somewhat advanced by his subordinate colleagues, Taxis, Richardot, D'Aremberg, and Verreken, who had preceded him. The English negotiators were—Nottingham, high admiral; the treasurer, now earl of Dorset; Northampton (lord Henry Howard), the earl of Devonshire (Mountjoy), and Cecil. The king's commission for negotiating was dated the 10th of May *, and peace was concluded on the 11th of August.† It proved most unpopular; but no foreign treaty made in this reign took its place in the public law of Europe—it demands, therefore, but a passing notice. The English commissioners failed to obtain the right to trade with the Spanish Indies, and consented to an article which restrained England from aiding or abetting the United Provinces. But British subjects might serve, at their discretion, the states or the archduke. The Spaniards demanded that the cautionary towns—Flushing, Brill, and Ramekins—should be delivered to them upon their paying the sums secured upon those towns to Elizabeth. This was refused, yet with a promise that, if the states refused fair terms of peace, the king would act justly and honourably between the parties.‡ This ambiguous expression alarmed the states; but Cecil instructed Win-

* Rymer, xvi. 579. † Ibid. 585.
‡ Id. ibid.

wood, then minister at the Hague, to assure them they had nothing to fear.*

Had this peace been made by Elizabeth, it would probably have passed uncensured: it excited an outcry against James and his ministers, originating in national and religious hatred of Spain, and the disappointment of those adventurers, commercial and naval, who were restrained from enterprises against the Spanish Indies.† Cecil and the Howards are accused of having taken bribes from the constable. The earl of Northampton stands accused of having built his mansion in the Strand with Spanish gold, and lady Suffolk of having built Audley Inn out of her share in the bribes both of her husband and Cecil. But such charges were readily made and believed at a time when party passions against individuals were violent, and courtiers notoriously corrupt.

1605. Lord Hertford went as ambassador, with a splendid train, to receive the oath of the archduke at Brussels, to the treaty, and acquitted himself with credit. Nottingham, who went with a still more numerous and magnificent train to receive the oath of the king of Spain at Madrid, was less fortunate. This celebrated admiral displayed capacity and resolution in his naval commands, especially in the defeat of the armada. In other respects, he was more distinguished for his vanity and weakness. His pompous retinue, on this occasion, provoked the satirical humour of Stone, the court fool‡, before his departure; and his vanity compromised his reputation in Spain. Imputations were, moreover, thrown upon his integrity. He received from the king of Spain, at parting, presents to the value of 20,000*l.*, and a pension

* Win. Mem. vii. 27.

† Sir Charles Cornwallis, ambassador at Madrid, strongly condemned it. He writes, that the Spaniards said a peace so favourable to them must have been purchased with Spanish gold. (See his Negotiations, in Winwood's Memorials.)

‡ Stone said there were 500 fools, besides my lord admiral and his two sons, and was flogged for it in Bridewell. He avenged himself by saying on his release, "I might have called my lord Cecil fool long enough, before he would have me flogged for it."

of 12,000 crowns *, and was expressly accused of having sold himself.† Elizabeth would not have indulged him with an escort of 500 knights and gentlemen; and the ascendant of her character — the fear of her displeasure — would have made him act with more prudence and disinterestedness. Sovereigns like her, not only choose, but make, good servants. It may be improper to pass over, though scarcely worth notice, the idle tale, which is to be found in so many books, that the comeliness of the ambassador's train astonished the Spaniards, who had been taught by the Jesuits to believe the English metamorphosed, for their heresy, into monsters half dragon, half human, like the Spanish caricatures of sir Francis Drake. The common people in Spain had doubtless the same distorted notion of an Englishman, which the same class in England had of their natural enemy — a Frenchman — down to a late period; but the Jesuits did not employ such clumsy artifices.

James, like all weak men, was ever trying to combine incompatible desires and objects. He wanted strength of understanding to reduce his wishes to subordination. His personal timidity would have peace with Spain; but it was no sooner concluded, than the same timidity was alarmed at the facilities which peace afforded the Spaniards and Jesuits to practise secretly with his Roman catholic subjects. The temper and conduct of his queen, Anne of Denmark, added to his troubles. Their quarrels in Scotland were so violent, that the French ambassador reported to Henry IV. the fact of her having threatened his life; upon which that gallant prince observed, in reply, that James could save himself only by anticipating her.‡ The offences charged upon her are, her gallantries, her disposition to meddle in public affairs, and her prodigality in court dresses and entertainments. The disgust which her husband was calculated to inspire may be some excuse for the first, the weakness of his cha-

* Carte, b. 20.
† Lett. of sir C. Cornwallis and sir T. Eden, cited in Birch, Neg. 237, 238.
‡ Birch, Mem. ii. 506, 507.

racter for the second, and her sex for the third, ground of complaint. The constable Velasco, during the negotiation of peace, gained an ascendant over her. She directed him how to distribute bribes among the courtiers, and he filled her head with the project of a marriage between her eldest son, prince Henry, and the infanta, as yet but four or five years old.*

James issued, in the beginning of March, a proclamation regulating the ports of his kingdom, and recalling all British seamen from foreign service. This measure alarmed the Dutch, but was levelled really at the Spaniards. His explanations to the former, and his attempts, by evasion and verbal prohibition, to defeat the power reserved to the archduke and king of Spain, under the treaty, to recruit volunteers in the three kingdoms, form the worthless subject-matter of the records of his foreign relations in the state papers of this period. All this time the dreadful peril of the gunpowder treason was impending.

The king outraged the feelings of the puritans in the conference at Hampton Court, and provoked them still more by countenancing Bancroft, now archbishop of Canterbury, in his proceedings to enforce conformity.† To protect himself from the odium of secretly favouring popery, he found it necessary to press with impartial rigour upon the catholics. His indiscreet and uncalled-for avowal, in his first speech to parliament, that he regarded the church of Rome as their mother-church, though "defiled with some infirmities," gave offence.‡ To expiate this affront to the pedigree of the church, he enforced with new rigour the laws of Elizabeth against Jesuits, seminary priests, and recusants. Of the last class was a gentleman named Catesby—in the language of the time, a relapsed papist—who had been engaged in

* Carte, b. xx. Dép. de Beaumont.

† See his 141 canons, with accompanying anathemas on all who should question them, in Strype and Neal.

‡ It was recorded against him in the next century, with the following observation: — "The church of Rome can no more be the mother of our protestant church of England, than Christ can be the father of Antichrist, or his spouse be, &c." — *Oldmixon, Hist. of the Stuarts.*

the affair of Essex, and led a strange life of dissipation, turbulence, intrigue, and fanaticism. Disappointed in his hopes of a Spanish invasion by the peace just concluded*, he conceived, and cherished for some time within his own bosom, the stupendous wickedness of destroying the king, lords, commons, and spectators, at the next opening of parliament, by an explosion of gunpowder. The first partaker of his dreadful confidence was Thomas Percy, of the family of Northumberland, according to one account †; Thomas Winter, according to another.‡ Christopher Wright, John Wright, Robert (brother of Thomas) Winter, Robert Keyes, John Grant, Ambrose Rookwood, Thomas Bates, and Guy or Guido Fawkes, were next but gradually initiated. These, with the exception of Bates, Catesby's servant, were of the rank of gentlemen, but without fortune. To supply the necessary funds, they associated with them sir Everard Digby, hitherto of blameless life, and Francis Tresham. Most of them were military adventurers who had served in the Low Countries, and otherwise marked men. Catesby, Tresham, and the two Wrights, had been taken into provisional custody on an alarm of the queen's illness as far back as 1596.§ They bound themselves by an oath of fidelity and secresy upon the sacrament, administered to the band, whilst yet but five in number, by the Jesuit Gerard. The atrocity of the proposal startled some of the conspirators. Catesby, to satisfy their scruples, put a suppositious case to Garnet the Jesuit, whether, for the promotion of a good cause, it be lawful or not, amongst many nocents, to destroy some innocents also? The Jesuit answered in the affirmative, and instanced the taking of an enemy's town.‖ This answer, reported, probably, with some additions by Catesby, resolved the scruples of his ac-

* History of the Gunpowder Treason. State Trials, ii. † Ibid.
‡ Lingard, ix. 43.
§ Letter of Camden, in Ellis's Original Letters, iii. 179.
‖ Dr. Lingard gives a new and somewhat different version, which may possibly be the true one.

complices. They now proceeded to the execution of the plot. An empty house contiguous to the house of lords was taken in the name of Percy, who belonged to the king's household. Its garden communicated with the wall of the house of lords, and under this wall they commenced opening a mine. They worked at this mine through several weeks, with some intermission caused by prorogations, during sixteen hours out of the four and twenty, relieving each other by parties, with the exception of Fawkes, who kept guard in the character of Percy's servant. Whilst toiling at their hellish task through a stone wall three yards thick, they were interrupted by a noise. It proved, on enquiry, to proceed from a cellar under the house of lords, which some persons were actually clearing out, and would soon be occupied. They abandoned the mine, and Percy took the cellar under the pretence of laying up in it his winter stock of fuel. It was exactly under the throne. Their provision of gunpowder was already stored in a house on the Lambeth side. They conveyed into the cellar thirty-six barrels of powder, with large stones and fragments of iron to render the explosion the more destructive. It was calculated that 30,000 human lives, including the king, lords, and commons, would be destroyed in an instant.* All was prepared, and the train laid, when, at two o'clock in the morning of the 5th of November, the day fixed, after two prorogations, for the meeting of parliament, Guy Fawkes came booted and spurred to make the last arrangements for the explosion. He had no sooner opened the cellar door, than was seized by sir Thomas Knevet, steward of Westminster, who had been stationed within it with a military guard. Matches were found in his pocket, and a dark lanthorn lay in a corner. He struggled hard with his captors, and, had he been permitted to enter, would have set fire to the train, to envelope them and himself in one common ruin.

* History of the Gunpowder Treason. State Trials, ii. Somers's Tracts, v. 11.

A letter, unsigned, undated, in mysterious terms, and a feigned hand, was conveyed some time before to lord Monteagle, a catholic, warning him, on his life, to absent himself from the meeting of parliament. He communicated it to Cecil, who placed it in the king's hands on his return from hunting at Royston. James, by his account*, after pondering for two hours upon the mysterious epistle, divined the meaning: search was accordingly made, and the powder was found concealed under billets of wood and faggots; but all was left in the same state as before, to lull the conspirators into security. Cecil, in a letter to sir Charles Cornwallis, states that the mystery was detected by Suffolk, the lord chamberlain, and himself†; but that skilful courtier insinuated the discovery to James, so as to flatter his vanity with the notion of its originating with him. Sir Edward Coke went beyond the secretary. The king, he said, had discovered it through "a divine illumination."‡ From whom the letter to Monteagle came, is still a question. He ascribed it to Percy; but the general opinion is in favour of its having been sent by Tresham, whose sister was married to Monteagle, and who was himself disposed to prevent the explosion without discovering his accomplices.§ Fawkes, interrogated by the council in the presence of the rack, called himself Johnson, servant of Percy; acknowledged his share in the conspiracy; expressed no other regret than his failure; and refused to answer more, in a tone of insulting defiance.‖ He, however, made a full con-

* King's Speech, Parl. Hist. v. 11., and King James's Works, published by Bishop Montague. There is a letter signed "Thomas Col," addressed to Cecil, in Lodge's Illustrations, iii. 301., from which it would appear that the writer had given enigmatical warnings of the plot, under the title of a vision, in letters to the king, placed by him in the hands of the sheriffs of London, and by them in the hands of Cecil. The letter in Lodge is dated the 20th of December, but neither the date of his warning, nor the vision itself, appear; it is, therefore, impossible to judge how far the sagacity of Cecil was assisted by Thomas Col.

It was said that Henry IV. gave James warning of the plot, and that the Jesuits avenged themselves by the poniard of Ravillar. Carte has shown the falsehood of the premise, which was doubtless invented for the sake of the consequence.

† Win. Mem. ii. 171.

‡ State Trials, v. 11.

§ Lingard, ix. 49, &c.

‖ Win. ii. 171.

fession upon being satisfied by the council that his associates were discovered.*

The conspiracy was twofold, — the explosion at Westminster, and the seizure of the princess Elizabeth, then at the house of lord Harrington in Warwickshire. The rendezvous for the latter purpose was at Dunchurch, under pretence of a hunting party assembled by sir Everard Digby. Catesby arrived with disappointment in his looks, and announced the failure. The chief conspirators fled through Warwickshire and Worcestershire, pursued by the sheriffs and rejected by the catholics, until they reached Holbeach, the residence of Stephen Littleton, one of their accomplices. They were in number about 100, all mounted. At Holbeach they stood upon their defence. The sheriff, with his force, commanded them to surrender. They refused, with the resolution to sell their lives as dearly as they could. An accidental explosion of damp powder, which was placed to dry by the fire, wounded and almost disabled Catesby, Rookwood, Percy, and several others. Some escaped in the tumult. Catesby, Percy, and the two Wrights were mortally wounded by the shot of the besiegers. The house being stormed, Rookwood, Grant, Keyes, Thomas Winter, and Bates the servant, were made prisoners: Digby, Robert Winter, and Littleton fought their way through the assailants; but the first was overtaken, and the two last were soon after betrayed by a servant in their refuge at Hagley. The prisoners were not tried until the 27th of January, doubtless with the view of obtaining from them further knowledge of the plot. They acknowledged their guilt, but made no discovery. Sir Everard Digby alone pleaded guilty. They were executed, four on the 30th, and the remaining four on the 31st, of that month. Tresham was apprehended after some time, and died in the Tower.

A proclamation was issued for the apprehension of

* Cecil's Letters, Win. Mem. ii. 170.

the Jesuits Garnet, Gerard, and Greenway. The two last escaped; Garnet was apprehended, severely and frequently examined, convicted of a treasonable knowledge of the conspiracy, and executed. His guilt or innocence is a question of dispute to this day.* To enter into the controversy would neither excite interest nor do good. Popery and Jesuitism have happily ceased to be even bugbears, and time could hardly be worse employed than in reviving matters of religious crimination and animosity. Suffice it to say, that Garnet's admissions were obtained by the most perfidious and cruel arts of the inquisition; that conviction, under the circumstances of his trial, is scarcely a presumption of guilt; that the criminal courts were places of human sacrifice, not sanctuaries of justice. On the other hand, Garnet confessed his knowledge of the plot, but defended himself by saying that he had obtained it under the seal of confession. This defence could be admitted only in a country where the state was the vassal of the church.

After contemplating the magnitude of the crime, the next thought that strikes the mind is the utter want of relation between the means and the proposed end. Had the plot succeeded, the effect, most probably, would have been the extirpation of catholicism and of the catholics in England, by civil war or massacre. There was no organisation of physical force. The courts of Madrid, Brussels, and Rome, though impeached, had no cognizance of the design. It was contemplated to bring over the English catholic regiment in the service of the archduke†; and Owen and Baldwin—the one a Welsh catholic, the other an English Jesuit—whom the archduke very properly refused to deliver up, may have been engaged in the treason as deeply as they were charged; but a single regiment and two individuals would add little to the chances of success.

This monstrous crime was the conjoint result of fanaticism, priestcraft, and persecution. In this view, it is useful as a moral lesson. Like all religious crimes,

* Lingard, ix. 50, &c. † Birch, Neg. 255.

it sank deeply into the passions and memories of men. It envenomed hatred, and perpetuated intolerance. Other crimes, once punished or passed, are forgotten and unfelt. The deep impression of gunpowder treason had its share in obtaining the monstrous fabrications of Oates credit enough to shed so much innocent blood.*

The conspirators had made arrangements to save such lords and commons as they particularly valued. "I do not think," says Digby in a letter to his wife†, "there would have been three worth saving that would have been lost. You may guess that I had some friends that were in danger, which I prevented, but they shall never know it." The earl of Northumberland, and the three catholic lords, Stourton, Mordaunt, and Montague, were taken into custody. The charge against the three last was, its appearing that Catesby took measures to save Montague, and was aware of the intended absence of Stourton and Mordaunt. They were heavily fined in the star chamber. Northumberland was condemned to a fine of 30,000*l.*, and to imprisonment for life in the Tower. The only offence, deserving the name, proved, or even adduced against him, was his having admitted Percy, his relative, a gentleman pensioner, without requiring from him the qualification oath. But he had provoked the ingratitude of the king by services which it was inconvenient to acknowledge; and a king, whose sentiments were still meaner than his understanding, gave a willing ear to the vindictive malice of Cecil and Northampton.‡

1606. Parliament, having been opened on the 9th of November, met for the despatch of business on the 21st of January. The 5th of November was appointed a day

* The accounts of the powder plot, and of the execution of the criminals, — the latter in a tone as atrocious as the plot itself, — which may be found in Somers's Tracts, vol. ii., and the Harleian Miscellany, vol. iii., were published at the period of the popish plot.

† See his letters in the History of the Gunpowder Treason, Somers's Tracts, vii.

‡ Boderie, the successor of Beaumont at this period as French ambassador, ascribes, in his printed correspondence, the treatment of Northumberland to a suspicion that the conspirators intended to make him regent of the kingdom.

of thanksgiving. Severe penalties and sweeping disqualifications were enacted against Jesuits, seminary priests, and popish recusants. A new oath of allegiance was prescribed in such terms as to produce a sort of schism among the catholics, and led to the famous controversy between king James and cardinal Bellarmine. The rigour of some of those statutes was such, that attempts were made to devise means to mitigate them in the execution.* They pressed upon liberty, property, husbands, wives, children, guardians, wards, masters, servants. "Despair," says La Boderie, the French ambassador, "is a dangerous weapon in the hands of persons who have nothing left to lose." The parliament could not recruit more effectually for a new plot. But terror, joined to intolerance, produced a fresh access of persecuting zeal. James, in his opening speech, tried to moderate so far as he dared the temper of the commons. He disclaimed confounding the innocent with the guilty, exculpated foreign princes, and declared his repugnance to persecution unabated. His want of courage happily conspired, with his natural disposition, to make him tolerant. No catholic had a more trembling fear of excommunication. He dreaded being exposed by it to attempts upon his life by poison and the poniard, such as had been so courageously braved by Elizabeth.

The chief business of this session was the voting of a subsidy, for the first time since the accession of James. A redress of grievances in matters spiritual and temporal, was proposed as the condition of a supply, but not persevered in. James said, the commons sent an "O yes!" through the country to search out grievances. The king's expenses since his accession, as stated to the commons and recorded on the journals, were as follows:—The late queen's debts, 400,000*l.*; the king, queen, and prince's entrance, 10,000*l.*; the late queen's funeral, 20,000*l.*; coronation of the king and queen,

* Letter of sir Henry Neville, Win. ii. 216.

20,000*l.*; gifts to ambassadors, &c., 40,000*l.*; expenses in Ireland for four years, per annum, 350,000*l.* To meet these charges, the commons voted three entire subsidies, and six fifteenths. A grant of four subsidies, of four shillings in the pound, by the clergy in convocation, was confirmed; and parliament prorogued, on the 27th of May, to the 18th of November. Whilst the subsidy was pending, a false alarm of the king's assassination in Berkshire reached London. It lasted only a few hours, and had the effect of exciting a momentary personal interest for a sovereign disliked by most, and despised by many, of his subjects.

He was chiefly censured for favouritism and prodigality,—both decisive indications of a bad prince. His favouritism was twofold: the bishops ruled him at their will, by affecting to bow before the oracles of his wisdom, and the exercise of his power as divine. He lent himself to the execution of the new canons, the searching inquisitions, the alternatives of submitting conscience and conviction to worldly interests, or incurring ruinous penalties, by which Bancroft outraged all that was puritan and independent in religion or politics through the kingdom. The favour shown by him to his countrymen was natural, and almost excusable; but it was unwise, and the Scotch abused it. They excited the jealousy and indignation of the English both by their rapacity and insolence. Duels were frequent; and national quarrels between individuals threatened sometimes to become pitched battles. Douglas, master of the horse, was killed by Lee, in a desperate single combat; and the feeble prince, instead of exerting his authority, appeased the Scotch by making the brother of Douglas his successor in his office.* Herbert, afterwards earl of Montgomery, brother of the earl of Pembroke, became a favourite soon after James's accession:

* Hard. State Papers, i. 385. It is but just to the Scotch to cite the language of sir Dudley Carlton. "He (Lee) is not much followed by the Scots, because they hold there was fair play. The younger Douglas has his brother's place, which doth somewhat help to appease the quarrel."

Ramsey, created earl of Holderness, struck Herbert in the face at a horse-race—jealous, most likely, of his influence. Nothing but the equivocal moderation of Herbert prevented a national quarrel. His mother, the sister before mentioned of sir Philip Sidney, tore her hair at her son's dishonour.* The king rewarded Herbert, but was afraid to punish Ramsey. Prodigality is a sign not only of a weak but of a vicious prince; economy of a wise and virtuous one. It is a remark of Montesquieu†, that the worst Roman emperors, from Caligula to Caracalla, were the most lavish in enriching their courtiers; whilst the best or most politic, from Augustus to Pertinax, were sparing of presents. The sums, even within the first few years of his reign, before the rise of Somerset and Buckingham, received or grasped by Ramsey, Hume, Hay, Marr, and other Scotch courtiers, were enormous.‡ In the third year of his reign, he was reduced to extreme and degrading want. He could neither pay his servants, nor supply his table: his domestics stopped the treasurer, lord Dorset, in the street, and clamoured for wages, whilst the purveyors of the household refused their supplies.§ But his distresses punished without reforming him. Instead of checking his profusion to the Scotch, he tried to reconcile the English to it by making them partakers. He revived or created monopolies which pressed as injuriously upon commerce and the wants of the people as in the time of Elizabeth, with the aggravation of their being now ill-bestowed. A patent, bringing in 10,000*l.* a year, for

* This incident is related by Osborne, whom it is a sort of fashion to discredit. But it should be remembered that Osborne was not a compiler; that he wrote from his memory, without seeking method or exactness. There are accordingly some errors of fact, but for the most part trivial; and he expresses himself in such a manner, by a qualifying phrase, as to warn the reader. The date of Herbert's quarrel is doubtful.

† Esp. des Loix, liv. v. c. 18.

‡ See Abstract of the King's Revenue and Disbursements, Somers's Tracts, ii.

§ Ambassades de la Boderic, ii. 16. Henry IV. wrote, in reply to the letter of his ambassador: "La comparaison que vous faites du temps de la feue reine au present gouvernement et façon de vivre d'Angleterre est, je vous assure, fort bonne, mais qu'ils gardent que la fin ne soit pas de même; car les effets du mépris dans la personne d'un roi sont merveilleux et épouvantables." — *Lettre d'Henri IV. &c. à M. de la Boderie*, i. 123.

the transport of cloth, was given by him jointly to Hay and Herbert. He would thus reconcile the two nations by dividing between them the spoils of the people. The establishment of prince Henry, before he was twelve years old, would have sufficed for a sovereign. The queen's expenses were unbounded. The court banquets, and the shows called masques, were equally remarkable for prodigality and want of taste: they were fantastic and profuse, without the elegances or graces of civilisation and the fine arts. There was much more than the corruption, and no portion of the gallantry, of the court of Elizabeth; all the sensuality, and none of the refinement, of the courts of Catherine of Medicis and Henry IV. A glimpse will suffice, and is alone admissible. The king of Denmark, brother of the queen, visited England in the autumn of this year. He was, of course, received with extraordinary honours by the king and chief courtiers. Cockfighting and bull-baiting were the diversions of the morning; gross debauchery the enjoyment of the evening. The two kings wallowed in drunkenness, and the court ladies gave disgusting proofs of intemperance. Harrington's graphic sketch of the entertainment at Theobalds, has been too often quoted for a passage which conveys less instruction than disgust. Where there was so little shame, there could have been no virtue. James, it is true, gave a portion of his time to the advancement of knowledge in theology and kingcraft. But if his recreations were debasing, his writings made him ridiculous. Such was the king styled "God's vicegerent" by those whom such language least became, and who were best acquainted with his infirmities. He yet had not fully developed, at this period, the vices of his character and government.

CHAP. V.

1607—1609.

MEETING OF PARLIAMENT. — ABUSE OF THE SCOTCH. — THEIR RESENTMENT. — SIR CHRISTOPHER PIGOT EXPELLED THE HOUSE. — UNION WITH SCOTLAND. — BACON'S PLAN OF LAW REFORM. — THE SPANISH PEACE UNPOPULAR. — DISPUTE WITH SPAIN. — REMARKABLE PETITION. — GROWING POWER OF THE COMMONS. — RUSTIC INSURRECTION. — OATH OF ALLEGIANCE. — THE KING'S CONTROVERSY WITH BELLARMINE. — HIS BOOK. — INDEPENDENCE OF THE UNITED PROVINCES. — TYRONE. — STATE OF IRELAND. — GREAT CASE OF IMPOSITIONS BY PREROGATIVE. — DEATH AND CHARACTER OF THE LORD TREASURER DORSET. — LORD HENRY HOWARD. — HIS CHARACTER. — THE MOTHER OF BACON. — HER CHARACTER. — PROCEEDINGS IN PARLIAMENT. — COWELL'S "INTERPRETER." — SUPPLY. — GRIEVANCES. — WARDSHIP AND PURVEYANCE. — IMPOSITIONS BY PREROGATIVE. — SPIRIT AND POWER OF THE COMMONS.

THE king opened the session of 1606-7 with one of his best, or least objectionable, speeches. Having rebuked plebeians and puritans for setting up for tribunes of the people, he again recommended, at great length, the union of the two kingdoms, and the recognition of the Scotch as subjects of the crown of England. The border laws, and other tokens and causes of border hostility and barbarism, had been removed; and the king's views, whatever his motives, were not only reasonable but conclusive. From the conduct and the language of those who opposed the union, it would seem that they were actuated by national prejudices. Sir Christopher Pigot, member for Buckinghamshire, expressed his astonishment at the proposition of a union of a rich and fertile kingdom with a nation poor, barren, and disgraced by nature, — of rich, frank, and honest men, with a proud and beggarly race, habitually traitors to their kings; and declared the difference between an Englishman and Scotchman to be the same as between a judge 1607.

and a thief. The temper of the commons may be inferred from their hearing those invectives without censure or impatience. But the Scotch very naturally took fire, and threatened to avenge the insult with the sword. The most remote approach to the clash of arms put the king in panic fear: he sent for Salisbury, rebuked him severely for allowing such conduct in the commons to pass unnoticed; summoned a council, told them the insult touched him as a Scotchman, declared that he loved the Scotch, and should inculcate upon his son, then present, to love them, on pain of his paternal curse *; and, having done with the council, addressed a still more menacing rebuke to the commons.† The indifference of the commons, whilst a national outrage was offered to the Scotch, did them little credit; their quailing under the king's rebuke was disgraceful. They told the king their silence proceeded from amazement; "*leves curæ* (they said) *loquuntur; ingentes stupent.*" They visited the offending member with not only expulsion, but imprisonment in the Tower. His language, however unwarrantable, was but a breach of order, not of privilege; but the commons had as yet no clear idea of their privileges or independence. The Scotch in London exulted; and the states of Scotland sent James an address of thanks for his zeal shown in defence of the honour of their country.‡ No progress, however, was made towards the proposed union. James addressed the commons again on the 31st of March, in a speech for a union, containing so much good sense, and so little absurdity, that it is difficult to believe it entirely his. The commons still made no step in advance; and the king, in his passion, threatened to fix his residence at York or Berwick.

It would be inconsistent to enter here into the debates and conferences on a measure in which so little, or rather nothing, was done until the lapse of more

* Amb. de La Boderie, tom. ii. p. 87, &c.
† Parl. Hist. i. 1097.
‡ Amb. de La Boderie, tom. ii. p. 139.

than a century.* But the speech of Bacon in introducing it should not pass unmentioned; it remains one of the monuments of his genius, not for the plan of union, but for his proposed digest of the laws. The bulk, intricacy, and uncertainty of the laws of England, from the practice of adding act after act on each emergency, without reference to preceding acts, had struck him in the late reign, and been represented by him to Elizabeth. But Coke, a technical lawyer and jealous parasite, said Bacon did not know law, and he was forced to abandon a project for the accomplishment of which he had pre-eminently the requisite grasp of mind and faculty of order. "The necessity," says Carte, referring in the next century to the reform proposed by Bacon, "hath increased manifold every day since his time; and, whilst sordid and venal lawyers rejoice, nobody hath yet public spirit enough to undertake a reformation which would probably be more beneficial to the country than all the particular statutes that can be made by parliament." Partial digests of petty sections, made by law commissioners at their leisure, have their value, but are not in the spirit of Bacon. It is strange, that where there is so much to tempt ambition of fame and the sentiment of patriotism, his design has not yet been taken up by some congenial mind.†

* The Scotch born after his accession were declared native subjects of the crown of England. (See case of the *Postnati*, St. Tr. ii.)

† The five codes of France, called the "Code Napoleon," form a practical example hitherto thrown away upon this country. Every man of business, who has had intercourse with French merchants, knows that a French merchant, when a legal question occurs, or is propounded to him, takes down from a shelf in his counting-house the "Code of Commerce," and, in 19 cases out of 20, or perhaps 99 out of 100, resolves it on the instant. An English merchant goes to an attorney, who goes to a barrister, and, paying at every step, waits to hear his case decided by a judge of whose oracles he knows no more than the consulting votaries know of the secrets of the Delphic temple, or the Dodonæan grove.

The Code Napoleon is still more comprehensive than the project of Bacon; it embraced, digested, and reformed the whole jurisprudence of France, whether ancient custom or written ordinance. It was executed, it is true, by a soldier and statesman, whose inspirations were as grand and bold in the cabinet as in the field, assisted, not by stunted lawyers, but by men of various information and enlarged views. But there assuredly is intellectual power enough in England to effect as much.

The late lord Stanhope should, perhaps, be excepted; but the eccentricity of his wisdom prevented confidence in his science.

There are two points which demand notice, as illustrative of the slow but perceptible growth of power in the commons; that is, of the developement of the constitution. The commons prepared a petition to the king for the better enforcement of laws relating to religion, — in fact, for the persecution of papists and relief of puritans. The speaker barred the reading of the petition, because it infringed the king's prerogative, as asserted in the late reign. This was clear and notorious as the sun; the commons, however, not having now to encounter the vigour and vengeance of Elizabeth, affected to institute a search for precedents. James, alarmed by this step, withdrew his opposition, without renouncing his objection; and the commons, not to be outdone in courtesy, abandoned the petition and the search. The result was equivocal, but the commons gained ground.

The second topic was of the utmost importance, and may be regarded as the first step towards the vast influence of the house of commons; first, as the great guardian of the rights of individuals and the public, to which the aggrieved resort by petition for redress; next, as the great censor of the foreign relations of the government.

The eager spirit of lucre and adventure, so prevalent in the reign of Elizabeth, the habitual notion of hostility to Spaniards, and the maxim of no peace beyond the line, encouraged the owners, commanders, and crews of ships commissioned by Elizabeth as privateers, to continue hostilities, and commit depredations amounting to acts of piracy, on the ships and possessions of Spain in the Indies. The Spaniards, both in retaliation and by aggression, committed equal if not greater outrages upon English subjects, in their persons and properties, in Europe as well as in America. The nature and extent of those outrages, too numerous to be specified, may be learned by reference to the negotiations of sir Charles

Cornwallis.* The wives of merchants and others, whose husbands were robbed, imprisoned, or sent to the galleys in Spain, threw themselves at James's feet for redress, which they did not obtain. But the matter was taken up with spirit and resolution by certain merchants of London, who prepared a petition "to his majesty and his high court of parliament," praying for redress by issuing letters of marque, under a statute of Henry V. It was presented only to the house of commons †, who requested a conference with the lords: the latter, with some hesitation, assented. The commons proposed that both houses should join in forwarding the petition to the king. Bacon, reporting the conference, notices only the speeches of Salisbury and Northampton, on the part of the lords ‡: who spoke, or what was spoken, on behalf of the commons, does not appear. Salisbury censured the merchants for petitioning the commons, who were the foot, not the king, who was the head; argued, that the remedy proposed under the act of Henry V. would do injury, not good §; and maintained, on the authority of various precedents, which he cited, that the commons were no counsellors upon the matter — peace or war being, he said, a matter which kings ever kept *in scrinio pectoris*, assisted and advised by their council of state. Northampton said the commons were presumed conversant only with the local interests of the places which they represented; and the higher matters of state and government were not within their province. The proposition of the commons was of course rejected; and Salisbury, assuming a certain tone of superiority and protection, promised that "the lords would make a favourable construction of their desire." What further steps, or whether any, were taken by the commons, does not appear from the journals or the

* Win. Mem. vol. ii. † Parl. Hist. i. 1120. Bacon, iii. 328.

† Bacon's works, ten vols. 8vo. iii. 328, &c.

§ Carte is evidently mistaken, when he says (iii. 766.) that James was ready to issue letters of marque and reprisal. That honest, though prejudiced historian, was misled by the despatches of La Boderie, the French ambassador, which he overvalued, from being admitted to see them in the French archives before their publication.

parliamentary history: the latter not only is scanty, but, from the unaccountable omission of the speech of Bacon, would mislead the reader. The redress of injuries to British subjects was dilatory and imperfect * ; and the English ambassador complained of being treated with disrespect.† Cecil ascribed the delays of justice to the Spanish character; and Bacon quoted, in reference to it, the witty Italian proverb, *Di' Spagna mi venga la morte.*"‡ Parliament, prorogued on the 4th of July, did not meet again until February, 1609–10.

The temper of the house of commons may appear timid and submissive, especially under the last rebuke. But the spirit of independence had nevertheless grown in strength and confidence. Of this there is a negative but conclusive proof. The court, notwithstanding its distress, did not venture to ask a subsidy.

Whilst the parliament was still sitting, in the month of May of this year, riotous assemblages, of a remarkable rather than dangerous character, broke out in the counties of Northampton, Leicester, and Warwick. The lords of manors, in this and the last century, were making continual inroads upon the rights of common. A fresh harvest of forfeitures and donations, upon the discovery of the gunpowder plot in those midland counties, stimulated anew the rapacity of the landowners. This grievance pressed upon the poorer peasantry: they assembled, under masked leaders, from 4000 to 5000 in number, provided with no other arms than the instruments necessary for the demolition of the obnoxious enclosures, and committed no other outrage. These tumultuary reformers, encouraged and assisted by the farming tenantry, continued their labours for about a month, at the end of which they were easily dispersed

* Sir Charles Cornwallis's Neg. in Win. vol. ii.

† "I stayed," says he, "from nine (the hour appointed) in a little lobby, where I found a little bare form, such as I think there are better in the king my master's scullery, unaccompanied and unattended. Yet much favoured had I been if the poor form had been left me; but one of the king's chamber, out of the want of courtesy or wit, caused it to be taken away .... so as I was enforced to hold me to my walk .... together with long fasting, I became exceeding faint," &c. — *Win.* ii. 299.

‡ Works, iii. 33.

by the sheriffs with the disposable forces of the counties, and the influence of a proclamation holding out pardon and redress. John Reynolds, calling himself captain Pouch, from a pouch which he wore by his side, their chief leader, whom they obeyed implicitly, and a few other ringleaders, were tried and executed as traitors. The importance attached by the French ambassador to this tumult proves only his ignorance of the country.* It was a mere riot directed against a local grievance, and under the mistaken notion of the sanction of the statute against enclosures, without a tinge even of the political offence called sedition. The crime of the chief offenders became treason only by legal construction. It suggests however, a contrast pregnant with consequences. Whilst the court presented a spectacle of gross corruption, with an equal want of decency in language and conduct, those tumultuary rustics abstained from violence, intemperance, and profaneness. Such a people must, in process of time, nauseate and throw off such a court and government.

The king seems to have regarded his dispute with cardinal Bellarmine as holding the first place in his foreign relations. In the new oath of allegiance the catholics were called upon to disavow the doctrine of the pope's power to depose kings, as impious, heretical, and damnable. It was the fashion of the time to determine what opinion was or was not damnable with the same assurance as what act was or was not felony or treason. James himself had declared the denial of the reality of witchcraft a damnable opinion.† The pope Paul V. was no less jealous of his spiritual supremacy over crowned heads than king James of his temporal and spiritual supremacy over all other heads; pretensions less wonderful in either, than that there should have been human infatuation enough to indulge them. The pope addressed a brief to the catholics, informing them

* Amb. de La Boderie, tom. ii. He says, the people wanted only an ambitious leader of adequate rank to send James back to Scotland.

† Preface to his "Dæmonologie."

that the taking of the oath, and not the doctrine of the deposing power, was impious, damnable, and heretical. He found it necessary to issue a second brief before he could make himself heard. Even then, some only of the English catholics refused, whilst others took the oath. Among the latter was the archpriest Blackwell. The question divided not only the English catholics, but the Sorbonne. Cardinal Bellarmine and Parsons the Jesuit admonished, or rather, assailed, Blackwell by order of the pope. The king, with valorous absurdity, took the field with a pamphlet entitled "An Apology for the Oath of Allegiance." James, an author and a king, whose *Basilicon Doron,* republished, or rather, perhaps, for the first time published, on his accession, was hailed as the wisest of human performances; whom the chancellor Egerton described as uniting in himself the king and the priest; who spoke, according to archbishop Whitgift, from the spirit of God; thought that he should at once silence the cardinal and Jesuit, and settle the question. But theological disputes are the least easily settled. Bellarmine replied to the king with provoking familiarity; and James, says a French writer*, forgot himself so far as to become the adversary of a little Jesuit, who had scribbled himself into a cardinal. His rejoinder was in the form of a new and improved edition, with a premonition to all Christian princes. Bishop Andrews is supposed to have assisted him. They who could read it through at the present day must have abundant leisure and a curious taste. The premonition was thrown away upon those to whom it was addressed. Catholic princes were afraid to open†, and protestant princes stared or laughed, at his explications of the vials of the

* Le Vassor, Mém. de Louis XIII.

† Letters of Sir C. Cornwallis, Win. Mem. iii. 64, 65. The ambassador was instructed to place the book by surprise in the hands of the king of Spain; but the duke of Lerma, apprised of his instructions, dissuaded him from subjecting the royal author to the mortification of having his book returned. Sir Charles Cornwallis describes the ludicrous distress of the Spaniard with curious simplicity:—"The duke of Lerma," says he, "with a great sigh, wished that those rare and singular parts of his majesty, whereof all the world took so great a notice, had been employed upon a better and more pleasing subject.

apocalypse.* "The pope," says the French writer already cited, "commanded like a king; the king disputed like a doctor." "A prince," he adds, "should leave writing to others, unless he can write like Cæsar or Marcus Aurelius." The catholics were placed between the hard alternatives of being sentenced, at Rome, to eternal damnation if they took the oath; in England, to death, as traitors, if they refused it. James, it has been observed, had a disposition to be tolerant, which even the gunpowder plot did not overcome. He yielded to the unhappy influences of theology and authorship, and had two catholics, who refused the oath, executed, the one at London, the other at York, out of spite to his adversary Bellarmine!†

Whilst king James was emptying the vials of the 1608.
apocalypse upon popery, — identifying Babylon with modern Rome, and the pope with antichrist, — the states general of the United Provinces were negotiating peace and their independence. It is one of the misfortunes of a despised prince, that every part of his government is judged in unison with his character. James has been accused of deserting the United Provinces, and wishing to force them back under the Spanish yoke. He may have called the Dutch rebels in his drunken orgies, or in the more mischievous intoxication produced by court sycophancy and his notion of divine right. But it is manifest, from the historical and diplomatic memorials of the time‡, that, far from deserting them, he constantly laboured to evade in their favour the neutrality stipulated in the Spanish peace.§ But the real and

* La Boderie, iv. 301, 302. † Carte, book xx. p. 783.

‡ Carte, Gen. Hist. book xx. Win. Mem. i. and ii. Birch's "Negotiations, &c." ad finem.

§ Cecil (in Win. ii. 480.) expressly and earnestly denies that the king ever advised the states to accept "a simple truce without mention of sovereignty."

This charge, were it to be found only in Oldmixon and other flaming and dishonest zealots of 1688, would not merit so much notice; but it is repeated by Mr. Hallam (i. 454.). The second volume of Winwood, to which he makes a reference, affords evidence of the contrary. Page 749. vol. iii. of Carte, to which he also refers, contains nothing on the subject; and the twentieth book of that historian expressly negatives the supposition.

See also Birch's "Negotiations," p. 295., where he says that the MS. Ne-

secret policy of James, or, rather, of Cecil, seems to have been, to protract the state of war in the Netherlands. This becomes apparent at the opening of the negotiations between the states and the archduke in 1607. The archduke had made, and the states had accepted, an overture to negotiate upon the basis of their independence, without communication by any of the parties to James. It was not because they contemned his government. The resources of the kingdom, and the capacity of its chief minister, were too well known. Salisbury, upon learning, as he did almost immediately, through secret sources of intelligence, this clandestine overture, instructed sir Ralph Winwood and sir Charles Cornwallis to demand an explanation at the Hague and at Madrid. The states excused themselves by the shortness of the time. It would be easy to show the inconsistency of this excuse with dates, if the matter were any longer worth it. The Spanish court was more frank: there sir Charles Cornwallis was informed that the English cabinet, especially Cecil, was more likely to impede than promote the conclusion of peace*, from an apprehension that Spain sought only to change the seat of war from the Low Countries to Ireland. This very idea had suggested itself to Cecil on being informed of the negotiations; and he communicated it, together with rumours of an armament in Spain, to the English minister at Madrid.†

It is necessary to glance for a moment at Ireland. The English government suspecting, with or without reason, that Tyrone was intent upon a new rebellion, summoned him to attend the council in England, respecting a claim made upon his estates by a kinsman. He proposed to appear by his attorney. His personal appearance was required. As it was a maxim at Rome that faith was not to be kept with a heretic, so was it in London that faith was not to be kept with an Irish-

gotiations of sir Richard Spencer (which he had perused) clear James of this aspersion, thrown on him by Richardot, minister of the archduke.

* Win. ii. 316. † Ibid. ii. 302.

man. Had Tyrone the simplicity to come over, he would have been immediately lodged in the Tower. He fled from Ireland to the Low Countries with his family, and a few other chiefs, and was received as a prince by the archduke and the Spanish general Spinola, in spite of the remonstrances of Edwards the English minister.* Cecil replied with spirit to the Spanish court, through sir Charles Cornwallis. "Tell them," (the council of Spain) says he, "that when the king of Spain shall think it time to begin with Ireland, the king my master is more likely than ever queen Elizabeth was to find a wholesome place of the king of Spain's where he would be loath to hear of the English, and to show the Spaniards that shall be sent into Ireland as fair a way as they were taught before."† The Spanish monarch was too imbecile in character, and too destitute of resources, to become an aggressor, and Tyrone died a pensioner of the pope at Florence. Had England been forced into a war of defence, Cecil, to a moral certainty, would have kept his word. The martial spirit of the nation retained its vigour; and, ignoble as the Spanish peace was, it favoured regular industry, and enriched the people.‡

The king of France in April, and the king of England in July, 1607, were respectively informed by the states, that they had opened negotiations for a peace with Spain, and invited those sovereigns to participate in them. A truce was already agreed to with the archduke. Henry and James assumed the character of mediators and guarantees. The ambassadors of the former were the president Jeannin, and Buzenval; of the latter, sir Ralph Winwood, and sir Richard Spencer. Why Henry's invitation preceded that of James by three months does not distinctly appear. But it is very apparent, that though the English council, or rather Cecil, 1609.

* Birch's Neg. 226, 227. Edwards claimed them as "persons who had rebelliously abandoned their country upon guiltiness of treasonable practices." The archduke answered, that he could not, in honour or humanity, deliver up "persons who had fled only for religion, and for hard measures in their inheritance."

† Win. ii. 342.

‡ Stow's Chron. fol. 896.

who governed it, was by no means disposed to restore the sovereignty of Spain, real or nominal, over the Provinces, he yet would have willingly seen the continuance of the war.* But when it appeared, from the temper of all the other parties, that the result was sure to be peace, the English envoys laboured, at least equally with the French, to obtain the best terms for the Hollanders. The misrepresentations of Jeannin in his published letters †, can impose upon no person who has examined the state papers of the time ‡; and the gasconades of Henry IV. can obtain little credit from those who know how to estimate that prince's character. Cecil very justifiably abstained from pledging himself to a war with Spain, contingent on the termination of the negotiations, *re infectâ*, proposed to him by a prince whose relations with Elizabeth were a series of broken engagements, and whose treaty of peace with Spain at Vervins was a base desertion of England and the Provinces, his allies. After a protracted negotiation, a truce of twelve years was concluded between Spain and the United Provinces, in March 1609. This truce was equivalent to a peace. The main conditions obtained by the Provinces were their independence, the trade to the Indies §, and the closing of the Scheldt. The states conceded explicitly toleration of the Roman catholic worship; and, with the express advice of Cecil, giving this curious reason, that there was already toleration in fact.‖ The toleration of popery could, assuredly, not have been more dangerous to England than to this infant Calvinistic and republican government, of which a fanatic had assassinated the illustrious founder. Cecil did not apply this obvious reasoning. Such is the force of circumstance and the passions over minds of a high order.

* See Letter of the Lords of the Council to Sir R. Winwood and Sir Richard Spencer. Win. Mem. iii. 429.

† Negociations de Monseigneur le President Jeannin, &c.

‡ See Birch's Neg. 274, &c. Win. Mem. ii. 428. &c.

§ As a concession to Spanish pride, this does not appear on the face of the treaty, but was expressly allowed in a separate act by the archduke, and guaranteed by England and France.

‖ Win. Mem. ii. 428.

It is a curious fact, that the immediate cause of this memorable treaty was the loss of 600,000 ducats at play by Philip III. * This emptied his coffers, and the Spanish negotiators received orders to conclude.

The degenerate ambition of prince Maurice threw every obstacle in the way of the negotiators.† Hi faction in Zealand clamoured already for the blood of Barneveldt ‡, who now laboured to obtain tranquillity for his country, after having had the greatest share in establishing its independence. Prince Maurice insulted king James in a conversation with Winwood, made an abject apology §, and when he saw peace inevitable, set up sordid and unfounded claims to pecuniary compensation.||

The English commissioners, at the same time, concluded two treaties with the states general:—one of defensive alliance, in the nature of a guarantee of the treaty with Spain ¶; the other for the settlement and reimbursement of the sums advanced to the states by queen Elizabeth. The amount was fixed at 818,000*l.*, and the states engaged to discharge it at the rate of 60,000*l.* a year, to begin after the lapse of two years from the conclusion of the truce of twelve years.**

Philip III. was no sooner released from war with the United Provinces, than he employed his troops in expelling from his dominions near a million of Moriscoes, his most industrious and useful subjects. King James then was not the most foolish king in Europe, even whilst his sacred majesty disputed with Bellarmine. There are a few other points in which he appears to some advantage, not only in contrast to Philip, but to the general tenour of his own reign. He took measures for the encouragement of the silk manufacture.†† He invested the East India company, which rather declined, with larger privileges, and a charter of incorporation for

* Birch's Neg. from Edmond's MSS. p. 284.
† Grot. Hist. lib. xvii. pp. 541. 544. 550.
‡ Birch's Neg. 289. from Edmond's MSS.
§ Ibid. 287, 288.
|| Ibid. 294.
¶ Rymer, xvi. 667.
** Ibid. 673.
†† Stowe, 895.

ever. He sent out lord Delawar, with three ships and 150 artisans, to govern and improve the infant English colonies in North America. It will suffice to mention, without going into it, his plan for the colonisation of Ulster. He endowed a college at Chelsea for the advancement of controversial theology between protestantism and popery. The spirit of the age could not be expressed by a volume of rhetoric with such striking effect as in a passing remark on this college, by the church historian Fuller. "Where," he asks, "was the necessity of such an establishment, when there were penal laws against papists, which required only to be better executed?" But the great curse of his reign still adhered to James—waste and poverty.

To supply his wants without application to parliament, he adopted means which showed at the same time the baseness of his sentiments, and the high tone of his pretensions. He submitted to the degradation of partly supporting his eldest son by a pension from the states general.* He sold the Dutch a licence to fish off the coasts of England and Scotland.† He levied a feudal aid of 20*s.* on each knight's fee, or 20*l.* a-year in land, on the pretence of knighting prince Henry, now fifteen years old. But the most important means of supply, and, as it proved in its immediate and remote consequences, the most important and memorable measure of his reign, was the right which he claimed to levy duties upon the import and export of goods by his prerogative. He began with laying an impost on foreign currants by his letters patent, in addition to the duty of tonnage and poundage granted by parliament. Bates, a Turkey merchant, resisted the claim, and was proceeded against by information in the court of exchequer. The two barons, Clarke and Fleming, decided for the crown: their grounds of law were still more sweeping and subversive of all liberty than the judgment itself.‡ At the same time the assertion is wholly untenable, that in

* Carte, iii. 746. † Coke's Detection, i. 65.
‡ See State Trials, ii., and Lane's Reports, case of Bates.

this great case of impositions, as it is called, there was no colour of law on the side of the crown. The exercise of this power by the crown, with the acquiescence of the subject, was so frequent, that it is not easy to determine between it and the privilege of self-taxation, which was the rule and which the exception. The slight notice taken of this exercise of prerogative before the decision in the exchequer, by the commons in the session of 1606, is a proof that the question was neither clear nor settled. It is not meant by this remark to vindicate the barons of the exchequer or the king; but to suggest, that the ancient English constitution may be too much relied on. Let a prerogative lawyer be allowed but the range of text books, judgments, and exercises of prerogative, and he will make out a plausible case, to show that the liberty of the press exists only by sufferance of the great seal at the will and pleasure of the chancellor. The parliamentary reformers, and especially those called radical, before that term became generic and universal, subjected themselves very frequently to refutation and ridicule by their indiscreet and ignorant appeals to the ancient constitution of their forefathers.* It is surprising, that, in the struggles between the constitution and the crown, Magna Charta was so rarely and so lightly rested on. There is not an abuse, whether of prerogative or judicature, which might not be met by an adverse right comprehended in the abstract propositions of that immortal document. The best provisions, in the best political constitutions of government, ancient or modern, may be deduced or developed from the wise and vast compass of those abstractions.

Bates's case was decided in 1606. It was not until 1608 that the full extent of the decision was estimated. A new scale of rates, imposing heavy duties upon all merchandise, by patent under the great seal, was issued in that year. The decision of the court of exchequer

* Every body knows how the late major Cartwright transformed "brevia parlamentaria" into "the short parliaments" of his ancestors.

did not reconcile men to this formidable pretension. James postponed, as long as he was able, the meeting of parliament. He was at last driven to it by his necessities, and by hopes which deluded him. The death of the lord treasurer Dorset caused some change in his council. Thomas Sâckville, lord Buckhurst, and earl of Dorset, was one of the most accomplished persons of the age of Elizabeth; the predecessor of Shakspeare as a tragic poet *, and "the patriarch of a race of genius and wit." † He succeeded Cecil the father, was succeeded in turn by Cecil the son, and was eclipsed in the administration by both. Salisbury became lord treasurer, and Northampton privy seal in the beginning of May, 1608. The latter personage becomes henceforth so prominent, that it may be right to give an idea of his previous reputation. That he was a person of supple character and winning arts, is manifest in the fact, that he recommended himself to Essex, Cecil, Elizabeth, and James. What those arts were, may be best collected from his contemporaries. The mother of Bacon describes him as "a dangerous intelligencing man," "an inward papist," "a Spaniard," one "whose workings were stark nought," who was "*subtiliter subdolus*," and "a subtle serpent." ‡ But this lady was a sort of female stoic, who wrote Greek in her private letters, and imagined herself invested with a censorship over the morals of the court. § As to his being a partisan of Spain, that was the bugbear of the day, which was not escaped even by Cecil; and his being "an inward papist" might be regarded with some indulgence, if he had not carried his hypocrisy to the extravagance of writing protestant exercises for private prayer, and endeavouring to supply his want of fortune by being made archbishop of York. || White, the correspondent of sir Robert Sidney, describes him as "a

* He wrote Gorbadue, the most sustained and regular English drama yet produced, but more admired by contemporaries than by posterity.

† Walpole's Catalogue of Royal and Noble Authors, vol. ii.

‡ Birch's Mem. i. 227—309.

§ See her letters to Essex, in Birch's Mem. vol. i.

|| Life of Archbishop Grindall, Biog. Brit., cited in Park's edition of "Catalogue of Royal and Noble Authors."

ranter,"— the meaning of which term is somewhat uncertain * ; but the French ambassador Beaumont more explicitly calls him "one of the greatest flatterers and calumniators ever seen." There is a curious unison between the practice of his life and the style of his letters. Even where he might proceed directly to his object, he preferred winding and manœuvring, and, instead of the ordinary style and received vocabulary, he conveyed his ideas by circumlocution and metaphor.† His erudition was real and curious; but only supplied materials for his ingenuity to work out conceits and quibbles. With these were mingled, in his more private letters, pleasantries, in which he spared neither decency nor morals.

The session of 1610 was opened on the 9th, and both houses adjourned over to the 14th of February. It is much to be regretted that the commons' journals are imperfect, and the parliamentary history deficient, during the most interesting session of parliament in this reign. The grant of supply; the redress of grievances specifically set forth; the great contract, as it was called, for the renunciation of wardships, and the right of impositions by prerogative; — these were the subject-matter of deliberation and dispute between the commons, the lords, and the king. It may be well to notice, out of its order in the proceedings, the lesser affair of "Cowell's Interpreter." Dr. Cowell, a civilian, in a law dictionary under this title, defining the words "king," "parliament," "prerogative," "subsidy," asserted in substance that the king was above the laws, not, as some pretended, the laws above the king; that in making laws the king might or might not consult parliament at his discretion; in short, that the monarchy by nature and constitution was absolute. The commons took fire, requested and held a conference with the lords, and if the king had not interfered, would have proceeded against the author

1610.

* Sid. Lett. ii. 129.
† Secret correspondence with Marr, Bruce, and James I.

to extremities.* Salisbury announced from the king, that his majesty had seen and questioned Cowell, who was in pursuance committed to prison, whilst his book was suppressed.† It may be supposed that the commons gave undue importance to the notions of a private person in a law dictionary. But there was at the moment a strong feeling of jealousy between the civil and common lawyers. James, who pretended to supreme knowledge as a jurist, no less than as a divine, openly declared his natural preference of the former, which would have made his power imperial and absolute; and the book, like all or most others, was printed by royal licence. The king, by holding the press in chains, deprived himself, as well as the nation, of its use, and there was much more of irregular and vindictive violence in the proceedings against the individual by the commons than of legal justice or constitutional temper. They were satisfied with the punishment of the culprit, though his arbitrary imprisonment by the crown was immeasurably more despotic than the negative sanction of his definitions. It should never be lost sight of, that the subject is liable to the invasion of his liberty from three quarters, — the executive power, the judicial power, and the house of commons, — and that of the three the last is the most dangerous, for the very reason that it is popular.

On the 14th of February, the earl of Salisbury, lord treasurer, represented to the lords the king's necessities; which were such, he said, as to render a supply indispensable. It may seem strange that a demand of supply did not originate in the commons, which was the usage of Elizabeth. The deviation perhaps arose from the understanding that the subsidy was to be the result of a bargain expressed in the words "contribution and retribution," and that the lords were mere tools in the

* Carte, book xx. p. 799.

† The conference was managed, on the part of the commons, by the attorney-general, whom Mr. Hallam supposes to have been Bacon; instancing it as a proof of Bacon's adroitness and pliancy. But Habart was attorney-general, and Bacon solicitor-general, at the time.

hands of the council. It appeared, from the statement of the lord treasurer, that the king's debts were about half a million sterling, and that his ordinary expenses exceeded his revenue by 81,000*l.* a year. To pay the king's debts, and meet the charge of creating prince Henry prince of Wales, he proposed a supply of 600,000*l.*; to support the king's state and dignity, a perpetual grant of 200,000*l.* a year; and for the consideration of those propositions, he recommended that the commons should be invited to a conference. The proceedings at this conference are very imperfectly recorded. It appears that Cecil repeated his financial statement, and made a proposition of contribution and retribution.* The commons murmured at the demand of 600,000*l.*†, but requested a conference on the matter of contribution and retribution proposed by the lord treasurer. The result was, that the commons desired the lords would convey to the king their wish that some course might be taken in the matter of wardships and tenures. On the 28th, it was moved, in the commons, to grant an immediate supply, of which the postponement was carried by a majority of 160 to 148. The king refused to change tenure by knights' service into free and common socage; but was willing to abandon all the charges incidental to it: of these the principal was wardship; and he added the abolition of what was no less obnoxious, — purveyance. This was the retribution which he offered for the contribution of a permanent revenue of 200,000*l.* It should rather have been called the matter of retribution and contribution, if this were not a solecism. The commons began by offering, in answer, a permanent revenue of 100,000*l.* a year, and rose gradually to 200,000*l.*, the sum demanded by the king. They stipulated the following conditions: —

"That the court of wards should be dissolved, with its dependencies, respite of homage, restraint of alienation, the prefines and the postfines *pro licentia concor-*

* Parl. Hist. i. 1121. † Carte, 791.

dandi; that purveyance be taken away, and the authority of the *green cloth* put down; that informers be banished; that his majesty shall claim no old debts, nor any lands that have been sixty years out of his possession; that, contrary to the present usage, all his patents, grants, or leases shall be interpreted strictly *against the king, and favourably for the subject;* that lessees shall not be turned out of possession for non-payment, but obliged only to pay a double rent; that the subject may be permitted to plead the general issue against his majesty; that the king be bound, in demurrers, to express the cause of demurrer for form, as the subject is by statute 27 Elizabeth; the just fees of all courts and offices to be printed in a book; that all penal statutes be surveyed, such as are obsolete and useless repealed, and such as are profitable concerning one matter may, for the better ease and certainty of the subject, be reduced into one statute, to be passed in parliament." *

* Carte, iii. 792. The following "particulars to be contracted for, in consideration of 200,000*l.* per annum to be paid to his majesty," were, doubtless, instructions of the commons to their managing committee (see Parl. Hist. i. 1127.), which may be compared with the actual stipulations: —

1. Wardships and tenures, with their particular dependencies, shall be utterly taken away.
2. The maxim, *Nullum tempus occurrit regi,* shall be no longer of any effect.
3. All the king's patents shall be expounded for the good of the patentees, and according to the true meaning.
4. No forfeiture shall be taken by the king, or his patentee, for non-payment of rent.
5. Any subject shall plead the general issue (not guilty) upon information of intrusion.
6. All penal laws and informations shall be ordered for the best ease of the subject.
7. All manner of purveyance, taken by prerogative, cart taking, compositions, and commissions therefore, and præemption (except of time), shall be utterly taken away, and no clerk of the market shall set any price on any victual, nor any other shall do the same.
8. All prefines and postfines, to be due upon alienation by fine and recovery, shall be taken away.
9. Debts shall be paid to the subjects before any advantage be taken by the king of forfeitures upon outlawries, or attainders of felons or traitors.
10. That clause in the statutes of 34 & 35 of Henry VIII., touching alteration of laws in Wales, shall be repealed.
11. Every subject that hath possessed land by the space of sixty years, where the king in that time hath not had the possession or profit thereof by the space of one year, shall be free rent from the king's claim. And if the king, within that space, hath been seised of any rent out of the same lands, then that rent only shall remain to the king.
12. Old debts due to the king before ten years last past shall be forgiven.

After all the conferences, the agreement was not carried into effect. From the loss of the journals, the cause cannot be ascertained. It may be ascribed not only to the growing ill-humour, but the growing sense of power in the house of commons, and their hope of wresting from a king the abolition of the grievance without so heavy a composition. They voted one subsidy of one fifteenth, not a sixth of the king's demand* (600,000*l.*), and confirmed a grant of six shillings in the pound by the clergy.

The more serious matter of impositions by prerogative alternated with the great contract in the proceedings of both houses. The king, at the opening of the negotiation for compounding the burdens of tenures and purveyance, authorised the commons to present their grievances. They accordingly presented the nine following: —New impositions; the ecclesiastical communion; proclamations importing the alteration and making of laws; stay of writs of prohibition; the jurisdiction assumed over the counties of Gloucester, Hereford, Worcester (or Wigorne), and Salop, by the council of Wales; the duke of Lenox's patent for searching and sealing new drapery; licences of wine; tax on alehouses; tax on sea coals. The king met this formidable array with trivial concessions, evasive answers, or direct refusals; and, as to the first in the series, with an injunction of silence. His majesty read the commons several lessons in the course of this session, which do not appear on the journals.† On one of those occasions, he called himself

13. The king shall express the cause of demurrer, in pleading against any of his subjects.

14. Fees of all courts to be paid by the subjects, shall be expressed in a book in print.

15. All laws absolute that are penal shall be reduced to one law.

16. No protection against law shall be granted by the king.

17. Any thing doubtful in any of these articles shall be explained by ourselves.

18. Any other matter, which, at our next meeting, we shall conceive to be for the ease of the subjects, and shall not detract from the king in point of sovereignty or profit, shall be ential in this contract.

Somers' Tracts, ii. 154, 155.

* Carte, iii. 791.

† Bacon's Works, iii. 354. Some of them may be found in the strange farrago called "King James's Works."

"a god on earth;" but at the same time modestly admitted, that he was "a god of earth*:" intimating, by the first proposition, that his will was not to be questioned; by the second, that his temper and power might be provoked.

Yet it should not be forgotten that Elizabeth more than once told the commons her prerogative "was not to be called in question;" that they acquiesced; and that in this very session they accepted with joy and thankfulness the king's *permission* to discuss the prerogative of wardship and purveyance†; a clear implication that, without his leave, these could not, of right, be discussed. Thus unsettled was the constitution, and thus dependent were the liberties of parliament and the people upon the relations of comparative strength and weakness between the commons and the crown.

The commons now manifested their strength and temper by a contemptuous message, conveyed through an underclerk to the clerk of parliament in the house of peers, for a copy of the king's answer "to the grievances of the subject‡;"—by resenting the king's signifying his pleasure to them from the council and through their speaker§ (another instance of their refusing James what they never thought of questioning under the fearless and haughty rule of Elizabeth)—and, still more boldly, by a remonstrance to the king. This admirable document begins with the declaration, that the king's "commandment of restraint from debating in parliament" was an infraction of "the ancient and fundamental right of the liberty of parliament in point of exact discussing of all matters concerning them and their possessions, goods, and rights whatsoever;" asserts that the subject's right could not be examined without at the same time examining the prerogative; and, without pretending to reverse the judgment in the exchequer, expresses the desire

* Bacon's Speech on the King's Messages, Works, iii. 366
† Parl. Hist. i. 1125—1127. ‡ Ibid. 1147.
§ Bacon's Works, iii. 366.

of the commons "to know the reasons whereon the same was granted."* In the petition of grievances they pray, "that all impositions set without the assent of parliament may be quite abolished and taken away," and "that his majesty, in imitation of his noble progenitors, would be pleased that a law might be made, during that session of parliament, to declare that all impositions set or to be set upon his people, their goods and merchandises, save only by common consent in parliament, were and should be void." The commons followed up their vigorous remonstrance and petition of grievances by passing a bill to declare all imposition without consent of parliament illegal. It was strangled, as might be expected, in the house of peers. The lords were weak and servile, rather than selfish or factious; but their rejection of this bill, and the baseness with which they lent their shoulders to carry the king and the prerogative over the necks of the commons and the people, had a great and decisive share in bringing the second despot of the unhappy house of Stuart to the block. The judges were their accomplices. Had the barons of the exchequer decided otherwise in the case of Bates, the judgment of Westminster-hall, in the ship-money case, against Hampden, would probably not have existed and required to be reversed on the scaffold. The argument on both sides of the question, in this reign, will be found in the judgments of the two barons, the speech of Bacon (now solicitor-general) in the house of commons, and the treatise of sir John Davis on impositions; — on the other side, in the petitions of the commons, and the speeches of Hakewill and Yelverton.† The latter would now be regarded as containing obvious truisms; the former attest the audacity of prerogative, and the adroitness, rather than the genius, of Bacon. He professed to derive the right from

* Somers' Tracts, ii. 155, 156.
† See State Trials, ii. Great case of impositions, Bacon's Works, iii. 370. Somers' Tracts, ii. 149, &c.; and Parl. Hist. vi. Session 1609, 1610.

the law, and to acknowledge that the law set bounds to it. The judges said the seaports were the king's gates, which he might open and shut to whom he pleased; and sir John Davies maintained, with a host of legal authorities, that the prerogative was above all law — "another Samson, too strong to be bound." *

It is perhaps advisable to review, by a glance, the fate of such of the other grievances as were important or of more permanent interest, before the close of this chapter, and of the parliament. The ecclesiastical commission for enforcing conformity by compulsory oaths, deprivations, fines, and imprisonments, was a bequest of Elizabeth. Bancroft, now archbishop of Canterbury, exceeded Whitgift in the severity of his administration, the height of his spiritual pretensions, and the gross idolatry of regal power by which he made a tool of the king. James said, that he as king was a *mixta persona*, having authority ecclesiastical, as well as temporal, and maintained the commission. The commons in their petition submitted to him a list of proclamations assuming the force of law.† He maintained his right to restrain and prevent

* Miss Aikin, in her "Memoirs," &c., has given an interesting account of the rapture with which James received Davies, upon learning that he was the author of a poem, entitled "Nosce teipsum." The effect was natural: a poet, admired and patronised by a king, could do no less than repay royal admiration with prerogative law.

† 11 January, 1 Jac. f. 57., forbiddeth choosing of knights and burgesses, bankrupts, or outlawed; and commandeth choyce of such as are not onely taxed to subsidies, but also have ordinarily paid and satisfied the same, f. 59. If returnes be made contrary to the proclamation, they are to be rejected as unlawfull and insufficient, f. 60.

25 August, 5 Jac. 5. 151. That the proclamation shall be a warrant to any officer or subject to seize starch, and to dispose or destroy any stuffe, &c., and restraineth all men, not licensed, to make starch, f. 154.

A proclamation made shortly after parliament, for matter directly rejected the precedent session.

1 March, 2 Jac. f. 102. A proclamation for building with brick, after a bill to that end rejected.

Proclamations touching the freehold and livelihood of men.

16 Sept. 1 Jac. f. 41. Raising and pulling downe houses authorised, and prohibition to build them againe at any time, f. 42. 12 Oct. 5 Jac. f. 160., forbidding building and taking away the materials, and appointing the owner's land to be let by other men at what price they please, f. 161.

Proclamations referring punishment to be done by justices of peace, maiors, bailives, constables, and other officers, or seizure by persons who have no authoritie to require, heare, and determine of those offences. So it is to be inflicted before lawfull trial and conviction.

8 Jan. 2 Jac. f. 72. A proclamation for folding wooles.

courts of Westminster, but especially the King's Bench, of which sir Edward Coke was now chief justice, resisted the encroachments of the ecclesiastical courts, by writs of prohibition; discouraged by the king, these writs became more difficult to be obtained, and the grievance was one of the most serious. The king's answer was a clumsy evasion; he expressed his pleasure that writs of *habeas corpus* and *de homine repligiando* should issue according to law.

James, having thus met the great question of impositions and other grievances, prorogued parliament to the following October. He then found the commons still more intractable. As a last resource, he summoned thirty of the commons to attend him at Whitehall: upon their presenting themselves, he said, the cause of sending for them was to ask them some questions, "whereunto he desired they would return a direct answer." * The first question was, "whether they believed the statement of his treasurer and chancellor of the exchequer, that he was in want?"—"Whereto," says the correspondent of sir Ralph Winwood, "when sir Francis Verulam Bacon had begun to answer in a more extravagant style than his majesty did delight to hear, he (the king) picked out sir Henry Neville, and commanded him to answer according to

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23 Aug. 5 Jac. f. 151. Seizure of starch, &c. f. 154.

Proclamations framed with penalties in forme of penall statutes.

4 Nov. 1 Jac. f. 34. Paine of confiscation of goodes, f. 56.

18 Jan. f. 2. Jac. 72. Ten dayes imprisonment and standing in the pillory, f. 72. Justices of peace to forfeit 20 pounds if they see not the proclamation of folding wooles executed, f. 75.

23 Aug. 5 Jac. f. 151. Forfeiture of one moitie of starch, &c. seized, &c., 154.

Punishment of offenders in courts of arbitrary discretion, as starre-chamber.

1 Mar. 2 Jac. f. 102. Proclamation for building, f. 103.

12 Oct. 5 Jac. 159. Proclamation for building, f. 160.

5 July, 6 Jac. f. 177. Proclamation for starch, f. 180.

25 July, 6 Jac. f. 180. Proclamation for building, f. 181.

Proclamations former become presidents, and vouched in latter proclamations.

18 June, 2 Jac. f. 75, avoucheth 5 E. 6. and 4 Eliz. f. 73.; 25 July, 6 Jac. f. 180. mentioneth former proclamations against buildings, and explaineth and qualifieth them, f. 181.—*Somers' Tracts*, ii. 163, 164.

* Win. iii. 235.

by proclamation where no certain law was extant. The his conscience." Sir Henry answers directly, "that he thought indeed his majesty was in want, and that according to the relation of his council."—"Then," said the king, "tell me whether it belongeth to you, that are my subjects, to relieve me or not?"—"To this," rejoined sir Henry, "I must answer with a distinction: where your majesty's expense groweth by the commonwealth, we are bound to maintain it—*otherwise not.*" He then observed upon the subsidies granted by this parliament, "though they had no relief of their grievances." The king commanded him to declare what their grievances were; and sir Henry began a recital "in discharge of his conscience," but "the word was taken out of his mouth by sir Herbert Croft."* Private attempts were next made to gain over individual members, with as little success. The commons were resolved not to replenish the royal cistern, as they expressed it†, without some guarantee against the king's prodigality.‡ They regarded with violent disgust and jealousy the sums which he squandered upon the Scotch, and the imprudent if not insolent bearing of the latter. A member expressed his readiness to show charges to the amount of 100,000*l.* on the crown in favour of Scotchmen, who put off their creditors until the new taxes should come into the exchequer.

* Win. iii. 235. † Ibid. 236. ‡ Ibid.

CHAP. VI.

1610—1617.

THE KING'S WANTS. — POSITION OF SALISBURY. — ASSASSINATION OF HENRY IV. — HIS PROJECTS. — SIEGE OF JULIERS. — CHARACTER OF HENRY. — RAVILLAC. — AFFAIR OF VORSTIUS. — BURNING OF LEGATE AND WIGHTMAN. — SALE OF HONOURS. — DEATH AND CHARACTER OF SALISBURY. — RISE OF CARR, EARL OF SOMERSET. — DEATH OF PRINCE HENRY. — MARRIAGE OF THE PRINCESS ELIZABETH TO THE PRINCE PALATINE. — DIVORCE OF LORD AND LADY ESSEX. — MARRIAGE OF LADY ESSEX AND SOMERSET — MEETING OF PARLIAMENT. — UNDERTAKERS. — PROCEEDINGS IN PARLIAMENT. — MEMBERS COMMITTED. — DEATH OF NORTHAMPTON. — RISE OF VILLIERS. — MURDER OF OVERBURY. — FALL OF SOMERSET. — SIR EDWARD COKE. — THE CHANCELLOR ELLESMERE. — CASE OF PEACHAM. — COKE REPRIMANDED. — HIS CHARACTER. — MISFORTUNES AND DEATH OF ARABELLA STUART.

HAD James been a despot of fearless temper, and not the most timid of mankind, extremities were now inevitable between the house of commons and the prerogative. To bear his situation required all the timidity of his nature and all the meanness of his character. Thirteen merchants of London had lent him 100,000*l.* on the security of the customs. He sent for them, in his distress, to request their forbearance as to the interest of their debt, and a fresh loan "upon good security."* Their forbearance was conceded with a bad grace, and they peremptorily refused any further loan. The exchequer officers endeavoured to raise money by private bargain with as little effect. Salisbury, the treasurer, in answer to Winwood's demand of his salary as ambassador, said, "his majesty was then disfurnished of money, and sir Ralph Winwood, who was no poor man, could stay well enough." The

* Win. iii. 239.

treasurer was the person to whom all claims were addressed, and whilst harassed with demands which he had no means of liquidating, he was bitterly reproached by the king. James accused him of having advised the calling of parliament *, and even suspected him of stimulating underhand the resistance of the commons.† This minister suffered in consequence a change in his temper and spirits.‡ Hence probably the decay of health, which soon ended in his death. It would be gratifying to discover any sufficient grounds for assigning to him the redeeming virtue of thwarting even underhand the king's attempts to place himself above all law and liberty. There are none.

James inherited from Elizabeth large claims on the states general and the king of France. The former were not to be called upon before the lapse of two years from the signature of the truce; and urgent demands were made upon Henry IV. A defensive treaty and the terms of reimbursement were settled, and nothing remained but the formalities of execution, when Henry IV. was stabbed to death by an assassin. This prince was at the moment on the eve of a military expedition, which remains a sort of enigma in his history. Upon the death of the duke of Cleves in 1609, the succession to the duchies of Cleves, Juliers, and Berg was disputed. The emperor seized the city of Juliers and fortress of Brandebant, as escheated to the empire upon the failure of the male line. There were two other claimants, the elector of Brandenburg and the duke of Newburg, who consented to an amicable decision by uninterested parties — that is, to the exclusion of the emperor. It is unnecessary to go into the merits of their titles, as dependent upon their respective pedigrees and the laws of the empire. The question was not one of public law, but of political and religious interests. James, Henry, and the states favoured the elector of Brandenburg, a protestant; the archduke, the king

* Win. iii. 235.
‡ Win. ii. 235.
† Carte, 805.

of Spain, and the emperor inclined to the duke of Newburg, a catholic. Meanwhile the archduke Leopold, who occupied Juliers for the emperor, not only refused to evacuate it, but strengthened himself by Spanish troops obtained from the Netherlands. The protestant princes of Germany now formed a league, called the Union of Hall, in Swabia, for the defence of their rights as members of the empire, and Henry IV. concluded the defensive alliance above mentioned with James. The princes of the union engaged to furnish 9000 foot and 2000 horse, the king of France an equal number, and the king of England 4000 foot; all for the siege of Juliers. Henry IV., instead of 11,000 horse and foot, ordered an army of 30,000 men, with fifty pieces of artillery, to march upon the frontiers of Luxemburg; caused his queen, Mary of Medicis, to be crowned, declared her regent, arranged the administration of government during his absence, and was impatient to place himself at the head of his troops, when he was stabbed in his carriage, at four o'clock in the afternoon of May 14., on his way to the arsenal with an escort of 400 gentlemen, in one of the most public streets of Paris. The assassin was Francis Ravillac, a young fanatic friar. He mounted, during a momentary interruption of the king's passage, upon the carriage wheel, and struck the king two blows with a knife in the neck, after which he never spoke more. Common fame and the antipathies of religion charged the murder upon the courts of Spain, Brussels, and Rome, the jesuits, the queen Mary of Medicis. The assassin, upon the rack, never swerved from his declaration that he had no accomplices; that he was actuated only by "an instinct which he could not control." The affair of Juliers was regarded as a question between the catholics and the protestants; and Henry IV., according to the notion of the common people, was going to make war upon the pope.* Hence the horrible instinct which moved Ravillac to assassinate him. Some leaves of his interrog-

* Voltaire, Essai sur l'Hist. Gén.

atory, discovered by an officer of the parliament of Paris in 1720, were inspected by Voltaire, who ascribes his crime solely to a weak mind and susceptible imagination, trained in monkish superstition and diseased by fanaticism. The signature of the assassin, he says, was traced with the utmost exactness; underneath, the words "*que toujours dans mon ame Jésus soit le vainqueur*" were written in the same hand. These minute circumstances might be supposed out of place if the English parliament had not seized this occasion to enforce still more strictly the penal laws against jesuits, Romish priests, and popish recusants; and English historians had not charged the jesuits with having placed the poniard in the hands of Ravillac, to revenge upon Henry IV. his disclosure of the gunpowder plot. What a spectacle of human infirmity!—the English commons denouncing with execrations of humane horror the guilt of popery in the act of Ravillac, and legislating at the moment in the odious spirit of religious persecution.

The character of Henry IV. has received false lights from many causes — among others from the manner of his death. Credit has been given him for a grand design which was to change the face of Europe, and he was viewed as one who fell from the first step of his car of triumph. The great scheme of new partitioning, after having made the preliminary conquest of, Europe, ascribed to him in the apocryphal memoirs which bear the name of Sully, has been discarded as visionary even by Voltaire, who yet magnifies his army on march from 30,000 to 40,000 men. The former and real force was still greatly disproportioned to so small an object as the siege of Juliers. But this local and minor quarrel might have led to an instant war with the whole house of Burgundy. The emperor was supported by a catholic league in opposition to that of Hall*, and Spinola had under his command a disposable force of 18,000 veteran troops in the Netherlands.† Levassor asserts, but Voltaire discards the story as absurd, that his ob-

* See letters of the nuncio, Win. iii. 169, &c. † Ibid.

ject was to release the young princess of Condé, a prisoner by her husband's authority at the court of Brussels. That writer is not a first-rate authority; but the character of Henry IV. and some passages in Winwood's memorials strengthen his credit. The princess, fatigued with the jealousies of her husband, demanded liberty to return to France *, and for the attainment of her object played upon Henry's ruling vanity and weakness, which increased with his years. Henry claimed her release; the archduke refused, without the sanction of her husband. Upon this a band of Frenchmen was sent secretly to Brussels to bring away the princess whilst on a pious and concerted pilgrimage to a neighbouring shrine. But the dowager princess of Condé, having discovered the plot at Paris, conveyed information to Brussels, the scheme was defeated, and nothing remained but force. A prince, notoriously the slave of his weaknesses and his mistresses, who mistook dissoluteness for gallantry, and had the vulgar infirmity of making his vices a matter of vain ostentation, was very capable of plunging headlong into a war from a motive so inadequate. One of the first general reflections suggested by an independent and studious perusal of history is, how many things which appear great are really small; how often events of vast moment have originated in trivial motives combined with inordinate power; and how invariably the consequent evils have come down upon that mass of mankind which is named the people.

The succession of Clèves did not produce a European war. The more moderate or more Spanish counsels of the queen regent of France, the pacific disposition of James, the prudent policy of the states-general, conspired to prevent it. 1611.

James, who trembled at the sight, if not at the idea, of a drawn sword, was ever ready to rush with inconsiderate valour into the congenial war of scholastic theo-

* She declared that she wished to go back to France, "pour être démarié." Ibid. 129.

logy. The celebrated Arminius was succeeded in his professorship at Leyden by Conrad Vorstius. The more rigid Calvinists accused the latter of heterodoxy; he vindicated himself publicly before the states-general at the Hague; and the matter was supposed at rest. But the king of Great Britain, France, and Ireland thought himself called upon to interfere, as defender of the faith, and the greatest of theologians. He insisted that Vorstius should be deprived of his professorship, informed the states that he had already caused the obnoxious books of Vorstius to be burned by the hands of the common hangman in England; insisted that they should receive the same treatment in Holland; hinted broadly that no injustice would be done by committing the author also to the flames; and in fine, declared that "he would not only write but fight rather than Vorstius should rest in Leyden." The points in dispute were, the infinity, immensity, ubiquity, incorporeity, immutability, eternity of Christ. Without touching upon these points, it may be safely assumed that the cause of Vorstius was that of justice and reason. On his side were Barneveldt, Grotius, the states-general; against him, king James, prince Maurice, zealot preachers, and the ignorant populace. Winwood, then minister at the Hague, lent himself with such servile and hollow violence to the absurdities of his master, that James himself, becoming somewhat sensible of his folly, rebuked the sycophant, and the states compromised the affair by a partial injustice. They consented to the removal of Vorstius, pending a final judgment, to be pronounced by the reformed churches of France, Geneva, Switzerland, and the Palatinate.

Carte, without giving his authority, charges archbishop Abbot with having persuaded the king to meddle in the affair of Vorstius. The archbishop, supposing the fact to be so, was guilty only of abetting a person already well disposed to make himself ridiculous. But the hierarchy are responsible, beyond all question, as his advisers and accomplices in a transaction of the same kind, and of

deeper guilt, which places him in the annals of persecution by the side of Mary, and protestant episcopacy by the side of the inquisition. A person named Bartholomew Legatt professed Arian opinions, that is, rejected the Nicene and Athanasian creeds, with much scriptural erudition and fanatical zeal. The king sent for him several times, and tried to argue him out of his errors. This was well. The royal schoolman, dexterously pursuing the Socratic method, asked him whether he prayed to Christ, intending to deduce from the affirmative an admission of Christ's identity with the Godhead. Legatt replied, that "he had prayed, indeed, to Christ in the days of his ignorance, but not for the last seven years." — "Away," said the king in choler, spurning him with his foot, "it shall never be said that one stayed in my presence who never prayed to our Saviour for seven years together." The king was naturally shocked, and his conduct can scarcely be condemned. But the unhappy Arian was now taken in hands by the bishop of London, who, in the consistory of St. Paul's, adjudged him a contumacious and incorrigible heretic, and, in the abominable cant of persecution, handed him over to the secular power. The king issued his writ *de hæretico comburendo,* and the sheriff of London saw Legatt burned "to ashes" in Smithfield. Another Arian named Edward Wightman, handed over in the same way by the bishop of Coventry to his majesty's writ and th esheriff of Warwickshire, was burned at Lichfield.

The multitude beheld the Smithfield fire with compassionate horror; but Fuller, the church historian and divine, could muster no more charity than to exclaim, "Oh, that he (the sufferer) might be the last — *to deserve it;*" whilst Stowe the chronicler, without even the scanty humanity of this bigot prayer, coolly records that "Edward Wightman, another obstinate heretic, was burned at Lichfield." The impression made by these executions upon the multitude suggested to the bishops and to the king, or to the king alone, some doubts whether such examples, however orthodox,

were politic and salutary. "The king accordingly," says Fuller, "preferred that heretics hereafter should silently and privately waste themselves away in prison." Persecution, indeed, now put out her torch of death in England; but though men no longer burned, they vexed, harassed, and tormented, and they continue to hate each other to this day for religion. It is strange that religious intolerance, a factitious, not an innate passion, unknown to paganism, should take such root. The reason may be found in its amalgamation with worldly interests.

If the king took a lesson in the affair of Legatt and Wightman from the humanity of the people, his zeal was cooled and his mind enlightened in the affair of Vorstius, by another negotiation in which he was at this time engaged with the states-general. They agreed, after much conference, to advance him 20,000*l.* and take upon them the payment of his claim, to the extent of 700,000 crowns, upon France. He at the same time completed with the queen regent the defensive alliance, the terms of which had been settled at the death of Henry, and received 60,000*l.* of the debt of France to England, contracted in the reign of Elizabeth. These sums, however, were trifling, compared with the king's debts and expenses. Recourse was had to forced loans upon privy seals, and a benevolence. Monopolies became more numerous and oppressive than ever, but brought in more to the rapacious herd of courtiers than to the king. A commission, founded upon an old, if not obsolete law, was issued to compel all persons worth 40*l.* a year in land to compound by a fine for not accepting knighthood. Crown tenants were compelled to produce their titles, and compound in money for defects real or alleged. Assart lands were subjected to a composition; crown lands, woods, and fee-farm rents were set up to sale. English, Scotch, and Irish titles were purchasable at known prices. The purchaser paid 10,000*l.* for being made a baron, 15,000*l.* for being made a viscount, 20,000*l.* for an earldom, in England.

Coke, who states these particulars, says, he did not find the set prices of Scottish and Irish honours.* The wants of the court called into existence a swarm of projectors, who gathered round the treasurer. Salisbury gave ear to them, and adopted the device of creating a new hereditary order, under the title of baronets. There were several conditions, such as the qualification of candidates, the number to be appointed (200), and the price to be paid, all of which, except the last, were dispensed with. The price for the title of baronet was 1000*l.*, and the ostensible purpose of the supply was to colonise Ulster. Decried and ridiculed through the envy of some, the jealousy of others, and the desire of a third party to embarrass the king, it yet was eagerly sought.

Salisbury, the great purveyor of these irregular supplies, after languishing for about a year, died on the 24th of May, 1612, at Marlborough, on his return from Bath. His death was a misfortune to the people and the king; he yet was regretted by neither. Virulent satires and ribald epigrams were showered upon his grave. His character assuredly suffered injustice. The public opinion of him is not to be estimated by the number of his defamers. They were tolerated, if not encouraged, by the king, the courtiers, and the council — all glad to be relieved from his superior capacity, and interested in charging upon him the past abuses of the government. With talents more various and versatile than his father, he had as many, or, to speak with more exactness, as few virtues. The best parliamentary speaker of his time, he was the organ or orator of the court in the house of commons, for many years before the queen's death, and his diplomatic letters possess facility of style, considering the style of the age, with skilful sophistry, dexterous evasion, and occasional energy. The father's maxim is said to have been, that the treasury should be poor, the people rich; the son's, 1612.

* Coke's Detec. i. 66.

that England was too rich ever to be exhausted or provoked, and that the English were to be ruled, not by the bit or curb, but by their asses' ears. James, whose fancies were no less shrewd at one time than absurd at another, called Salisbury his little beagle. The name is no bad indication of his qualities; it suggests his quickness to discover, his keenness to pursue, his readiness to fawn and obey. He appears to have acted upon another maxim, no less vicious than the foregoing, in common with the French secretary Villeroy. "*Il faut servir nos maîtres à leurs volontés,*" says that veteran courtier, who served four kings of France. Salisbury, had he had the same opportunity, would assuredly have served as many. Acting upon this maxim, under a wrong-headed and foolish prince, it is wonderful how much good he achieved, and how much evil he must have prevented. His foreign policy may be studied with more advantage than his father's at the present day. During his ten years' administration, whilst the prince was regarded with pity or derision, the minister was respected and feared in every court of Europe. Much of his unpopularity at home arose from the reforms which he introduced into the several branches of the exchequer on becoming treasurer, and the necessity under which he found himself of raising the crown property to its highest value, in the absence of supplies from parliament.* Like the son of the duke of Lerma, he succeeded to the power of his father; but, unlike the Spaniard, without supplanting him: he however made up for this by supplanting every other person who stood before or beside him. Impatient of rivalry in court influence and power, like his father, he went far beyond him in the smooth and supple arts of consummate malice, with which he ruined Essex, Raleigh, and Northumberland. Upon the death of the earl of Dorset he became treasurer, without ceasing to be secretary. He then had in his hands the whole administration, foreign and do-

* See an interesting, though zealously partial, defence of his character, in Gutch's "Collectanea Curiosa," i. 119.

mestic, not only in fact but in form: this was made a matter of reproach to his memory; but the public service did not suffer, and the people had no good reason to complain. The charge of corruption in his offices, though frequently and boldly made, has never been proved. The only evidence adduced is, that he left more wealth than he could have fairly amassed from his places: but has even this fact been established? Corruption, indeed, was one of the many vices of the court and government of king James, and, it may be added, of the king himself. The minister must perhaps have had more virtue than Salisbury to resist it. Salisbury was in his person diminutive, feeble, and distorted, in consequence of a fall when an infant from his nurse's arms. He was hunch-backed, he had one shoulder higher than the other, his features had a lean and sickly cast, and the lines on each side of his face, descending from his large forehead and temples, approximated, until they nearly formed an angle at his chin.* He yet had no superior as a courtier, no equal as an orator for dignity and grace, and, if the records of gallantries in the courts of Elizabeth and James may be relied on, he was no less successful in winning favour with the most admired and beautiful of the sex. His dying commentary on his life is full of sad reflection:—"Ease and pleasure," says he, "quake to hear of death, but my life, full of cares and miseries, desireth to be dissolved."†

The government hitherto in this reign was managed by a capable and expert minister. It now becomes that curse of nations under weak or vicious monarchs — a government by favourites. James, upon the death of Salisbury, alike feeble and debased, abandoned the authority of the crown and resources of the state to the discretion of a scandalous adventurer, without capacity or education, named Robert Carr, recently created viscount Rochester. He is described in some accounts

* See the portrait of him in Park's edition of the "Catalogue of Royal and Noble Authors."

† Gutch, Coll. Cur. i. 133.

as a raw Scotch youth of humble birth, when he first attracted the notice of the king. This is a mistake. His family was honourably known: there is reason to suppose that he had been a page to the king in Scotland: he certainly had some early training at the court of France, and he brought over with him those airs and profligacies of the French court *, which recommended him to the favour, and qualified him for the court, of king James. Carr was first introduced to fortune by an unpleasant accident. On his return from France, he became page to lord Hay, his countryman, attended him in a tournament on the anniversary of the king's coronation, and had his leg broken by the falling or plunging of his horse, in the very act of presenting lord Hay's device to the king. James, from natural compassion, and the recollection of his name, took charge of him, visited him during his cure, taught him Latin, and installed him as a favourite. It was with some difficulty that the royal orders excluded the lords and ladies who would crowd round the bedside of Carr, when, from the poor retainer of a Scotch lord, he became the patient and pupil of a king. The proudest bowed their coronets, and the fairest were studiously liberal of their smiles and lures, to the favourite on his appearance at court. Money and credit were at his disposal, to provide himself costly and suitable equipments. He was successively made a knight and gentleman of the bedchamber, lord treasurer of Scotland on the death of lord Dunbar, viscount Rochester, and, lastly, a knight of the garter, in company with the brave earl of Arundel, and Charles duke of York. The favourite carefully avoided association with his countrymen, recruited his establishment and his familiar acquaintance from among the English, and thus escaped the odium which would otherwise have attached to him. There can be little doubt that he thus acted under the experienced advice of sir Thomas Overbury, a man possessing capacity,

* See Sir George Carew's State of France under Henry IV. Winwood's Memorials, &c.

acquirements, and ambition, with an overbearing temper and little honour, under whose guidance he placed himself. The relation between them, in thus mutually seeming advantageous, proved ruinous to the one and fatal to the other.

The seals of Salisbury's state offices upon his death were placed in the hands of Rochester. Without bearing the title either of treasurer or secretary, which remained in abeyance for two years, he governed the three kingdoms.* The complicated negotiations and intrigues respecting alliances by marriage between the courts of London, Florence, Turin, Madrid and Paris, at this period, are not worth unravelling. It will suffice to state, that the marriage of prince Henry with the daughter of the grand duke of Tuscany was for a moment entertained, her popery being neutralised by her wealth †, that the ambassador of the duke of Savoy proposed a double marriage between the king's eldest son and daughter and the eldest daughter and son of the duke of Savoy ‡; that a marriage between prince Henry and the Spanish infanta first, and then her younger sister, had been the subject of a sort of desultory diplomacy for some years; that soon after the death of Henry IV. a double marriage was contracted by Mary of Medicis with the court of Spain; and that a suggestion of the marriage of a French princess to prince Henry was also thrown out. The duke of Bouillon came over in the spring, with a commission from the queen regent of France, to remove any jealousy which might be entertained by king James of the engagements then contracted, for the interchange of the eldest French and Spanish princesses in marriage to the prince, afterwards Philip IV. of Spain, and Louis XIII., now minor king of France. He was charged at the same time to renew the suggestion of the marriage of prince Henry to Christina, second daughter of Henry IV.§ The king accepted his assurances on

* Lett. of Sir T. Lake to Sir T. Edmonds, Birch's Negotiations, 349.
† Win. iii. 271, 272. ‡ Ibid. § Ibid. 358.

the first subject of his commission, and entertained the second.

Prince Henry, it would appear, regarded Rochester with an insurmountable dislike. The particular cause stated is jealousy. The young countess of Essex preferred the favourite to the prince. It was with this hated rival that he was obliged to communicate on the subject of his proposed marriage.

An ambassador from the prince palatine, and soon after that prince himself, arrived in the same year to solicit the hand of the princess Elizabeth. The negotiations for the marriage of prince Henry were broken off, and the inauspicious marriage of the princess to the elector palatine was postponed, in consequence of the death of the prince. He died on the 6th of November, in his 19th year. This event excited not regret but despair through the kingdom. Men had sought refuge from the bad government and despicable qualities of the father in the hopeful promise of the son and heir. If the household officers and tutors of this prince are to be relied on, he was endowed with every virtue and every talent. It is true that several sayings recorded as his would indicate a high tone of morality, religion, and honour, and that traits of conduct assigned to him gave promise of a sovereign not unworthy of the nation. But nothing is better known than the fact, that there are ingenious fabricators always at work in coining words and deeds full of wit and virtue for heirs apparent and new sovereigns. Prince Henry appears to have been taught to hold the character and pursuits of his king and father in sufficient contempt, and to have been anxious to make it appear that he should bear him the least possible resemblance. There is a thick volume, professing to contain his Life, by the industrious Birch. After deducting from this miscalled but useful book the letters to him, for him, and of him, and the accessary events and movements of the court and government, little would remain of prince Henry but the pompous common-places of the birth, baptism, installations, death, and burial, of

a youth of vulgar capacity and character, who was a knight of the garter, and prince of Wales. Rumours of his having died of poison were immediately abroad.* The guilt was charged upon the favourite, the papists, and his own father; and, in spite of the most decisive proof of his natural death, in the report of his attending physicians, continued to be repeated for more than a century. Such, it has been said, is the blindness of religious and party prejudice. This excuse of human infirmity, though often made in similar cases, is much too charitable. Such, rather, is the secret bad faith and malice of the zealots of party and religion. If it be true that this prince, in the ingenuousness of youth, made a vow that a papist bride should never be received to his bed and bosom, and looked upon his last sickness as Heaven's judgment upon him for listening to the proposal of an idolatrous marriage†, it proves only the abominable spirit of his education and of the age.

James, though of course innocent of all share in poisoning of one who died, not of poison, but of malignant epidemic fever, and the fears or ignorance of his physicians, yet proved himself an unfeeling father. He manifested little sorrow for the death of a son, who divided with him the hollow worship of the court, and by indirect, if not direct means, exposed him to odium and contempt. Prince Henry, it has been observed, died on the 6th of November. On the 9th of that month, when his body was scarcely cold in the shroud, Rochester, by the king's order, instructed sir Thomas Edmonds, ambassador at Paris, to continue the marriage treaty, only substituting the name of Charles for the deceased Henry. The ambassador had the good sense to avoid such an exposure of his sovereign to the French court, and James, it should be added, approved his conduct. "Wee," says he, "do very weall

* "Addidit fama atrocior, ut ille (Tacitus) ait erga dominantium exitus famam veneni. Sed cum nulla ejus rei extarent indicia, præsertim in ventriculo, quod præcipuè a veneno pati solet," &c.—*In Hen. Pr. Walliæ Elog. Fr. Bac. Works*, vi. 139.

† Cornwallis's Discourse, &c. Som. Tracts, ii.

allow of your cariage thairin, as fully agreeing with our meaning in our former direction, though peradventure sum words thairin might cause it to be mistaken. For it had been a very blunt thing in us, that you, our minister, should, so soone after such an irreparable losse receaved by us, have begunne to talk of mariage, the most contrary thing that could be to death and funeralls. But because wee doubted not that that motione would be renewed againe unto you, if not by Villeroy, at least by the duke of Buillon, our meaning was thairfor that you should entertayn the motione."* In point of fact, the duke of Bouillon was charged with the proposition, as from himself to Edmonds; but the king's explanation is still wholly insufficient.

1613. The death of prince Henry caused but a short postponement of the marriage of his sister. The only obstacle came from the queen. It was James's maxim that his sons should marry the daughters of reigning houses of the first rank; but his daughters might espouse minor princes. The queen would ally herself in the marriage of both her sons and daughters only with great monarchs, looked upon the marriage with the palsgrave as beneath her dignity, and called the affianced pair by the title of "goodwife and goodman palsgrave." Her resistance was ascribed, not merely to pride, but to an inclination to the popish, and particularly the Spanish interest. By whose means she was induced to swerve from protestantism has never appeared. It may have been one of the effects of the sort of idiosyncracy between her and her husband, that she could entertain no feeling in common with him. Henry IV., when she gave precedence of his ambassador to the ambassador of the king of Spain, ascribed it to the weight and influence of Spanish gold.† Her opinion, however, respecting the marriage was overruled, and the ceremony took place on the 14th of February, 1613. The court festivities on the occasion were in unison with the joy of the

* Birch, Neg. 373. † Lett. à M. de la Boderie, i. 233.

people.* It was a protestant, in contradistinction to a popish marriage, and the princess was beloved. She was only in her sixteenth year, and, allowing for exaggeration, must have joined personal graces to an amiable character. In May she accompanied her husband to the Palatinate. Misfortune, after a few years, brought her merits into a stronger light.

King James had not long done with the celebration of one marriage when he was still more anxiously engaged in the nullification of a second, as the preliminary to a third. This transaction presents a strange and, for the most part, intangible tissue of baseness, grossness, and depravity. Robert earl of Essex, son of the late unfortunate earl, was married, at the age of fourteen, to Frances, daughter of the earl of Suffolk, a year or two younger. This unseemly marriage of mere children took place under the auspices of the king. Too young to cohabit, the earl passed four years at the university, or in his travels, and, on his return, found the young countess the reigning beauty of the court. But this was not all: lady Suffolk, who, if the more secret and scandalous records of that time may be relied on, thought no sacrifice too great, and no means too profligate, for court favour and political power, instructed her daughter in her own arts, and encouraged or connived at her gallantries. The countess of Essex, in the spirit of, perhaps, innocent coquetry, aspired at the double conquest of the heir apparent, prince Henry, and the favourite, Rochester. The prince, impatient of rivalry with one whom he already hated, withdrew from the contest, and, it was said, even refused to hand the lady her glove, with an insulting expression of disgust. She soon abandoned to the favourite her reputation and her person. The young earl arrived after four years' absence, with the hope of finding his blooming bride impatient to behold him. He found a court beauty, with every charm but that of inno-

* See Miss Aikin's description of the bridegroom, the bride, and the festivities, i. 426. of her "Memoirs of the Court of King James." A work interesting for its miscellaneous research, and executed with much skill and discernment.

cence, who soon made no secret of her aversion. They lived for some time retired in the country; but, as might be expected, the experiment failed. The lady's dislike became absolute loathing, and the husband's vexations ended in disgust. They complained each of the other to her father, lord Suffolk, who, from a gallant naval officer, became a mere lord chamberlain; to her mother, who was the confidante of her intrigue; to her uncle Northampton, a sage counsellor of state and thorough courtier, who never mentioned marriage in his familiar correspondence without a ribald jest, and was, moreover, the confidant of the favourite Rochester. It will be anticipated that concord was not produced by such counsels. The lady instituted a process of nullity, on the ground of the impossibility of offspring from her marriage with the earl. A divorce was supposed to be the secret and long-cherished object of the countess and her family, to place her at liberty to become the wife of Rochester, now created earl of Somerset, lest the new marriage should be to her a descent in the peerage. The king readily issued a commission to the right reverend fathers in God of Canterbury, London, Winchester, Ely, Lichfield, and Rochester, with two privy counsellors and four civilians, to examine and decide the cause. Never were reverend and grave men placed in a situation more degrading and disgusting, and, in the result, more disreputable. The petition and witnesses of the countess unfolded before them a volume of details which cannot even be glanced at.

It is here necessary to turn aside for a moment to sir Thomas Overbury, who had hitherto acted as the confidant and adviser of Somerset. He willingly lent himself to the intrigue of his patron, and had even prostituted his superior sense and accomplishments in corrupting the unhappy countess by writing the letters which were addressed to her by Somerset. But in the divorce and prospective marriage he saw a fatal blight to his own ambition and influence: he used argument, authority, and menace to dissuade Somerset, and applied

to the young countess and her mother terms of the grossest contumely, more especially in a poem or lampoon, entitled "The Wife."* The weak lover communicated to his mistress, who communicated to her mother, the terms in which they were named by Overbury, and both the mother and daughter vowed revenge. Somerset procured him from the king the offer of a foreign embassy, and encouraged him underhand to refuse it, as an artifice of his enemies to remove him. Overbury declined the appointment on frivolous and transparent pretences. He received the king's commands to accept it; persisted in his refusal, at the instigation of his perfidious patron; denied the king's lawful power to send him abroad at pleasure; and was committed to the Tower for contempt. He was now in the hands and at the mercy of his enemies.

To return to the process of nullity.—The petition or libel of the countess has been mentioned. Her husband, who was now no less anxious than herself to be liberated from their unhappy yoke, answered by an admission *quoad hanc*, — to use the language of the right reverend commissioners and courts spiritual. It is impossible to pass the threshold of an enquiry in which grave prelates were placed in a situation at once the most indecent and the most burlesque. The auxiliary inquisition appointed by the court must therefore pass without notice, and the veiled substitute without examination; but it is indispensable to mention the part played by the king. The court was divided in opinion, and the archbishop of Canterbury at the head of the dissidents from the judgment of nullity. James, who had not only the folly to supply the prodigality of his favourites, but the baseness to minister to their vices, endeavoured in vain to bring over the archbishop. He displayed his stores of logic and theology as triumphantly as in the conference at Hampton Court; citing scripture, the fathers, and his own "Demonology." The judgment of nullity was

* Har. Misc. vi. 9.

pronounced by four bishops, the two privy counsellors, and two civilians. The unyoked countess, with her ringlets flowing in all the honours of a virgin bride, was married, at the palace of Whitehall, to the earl of Somerset. The king gave away the bride; the bishop of Bath and Wells performed the ceremony; the dean of Westminster preached the nuptial sermon; the queen, the prince, the lords spiritual and temporal, were present; "a gallant masque" was given in the evening; the new married couple, with a numerous train of courtiers, were entertained, at Merchant Tailors' Hall, by the lord mayor and aldermen "in their scarlet gowns*," with "a wassail and two pleasant masques;" and, after a princely banquet, says Coke, the bride and bridegroom, with all this noble crew, at three in the morning, returned to Whitehall. Thus audaciously did this scandalous divorce and marriage defy for a time the eye of heaven and man.

The dissentof the archbishop must be ascribed to motives which will presently appear, much more than to conscience. What is to be thought of a learned prelate admitting the possibility of *maleficium verus hanc*, but denying that it was a ground of nullity, because the parties had not tried the effect of fasting, alms, prayers, and other exorcisms? The earl of Essex buried himself in the country for some years, then served abroad, and reappeared, in the next reign. The subject-matter of this scandalous suit was a party question among historians for a century. Carte gallantly maintains the cause of the lady; whilst the friends of the husband assert that he was the victim of sorcery,—his wife having procured and administered to him a potion, by which he was half poisoned, and wholly bewitched.

1614. Somerset and the Howards now divided between them the whole power and patronage of the state. Winwood, who had been long soliciting his recall and promotion, was appointed secretary through the influence of the favourite. Sir Fulke Greville, distinguished as the

* Coke's Detection, i. 70.

friend of sir Philip Sidney, obtained the chancellorship of the exchequer, by a bribe of four thousand pounds to the favourite's mother-in-law, lady Suffolk.* The king's necessities drove him to the desperate resource of summoning a parliament. All other means were exhausted or found unproductive. Bacon, upon the successive promotions of his enemy Coke to the chief seat, first in the Common Pleas, and then in the King's Bench, was made solicitor-general in 1507, and attorney-general in 1613. It would be hard to pass in review, without a sense of melancholy, the prostitutions of his fine genius through his whole life,—a single vote and single speech excepted,—for objects gained in half the time by many a labouring ephemeron of the law. He deprived himself of the grace of his early and only show of public virtue by the baseness with which he ever after deplored or disavowed it. It would appear from a MS. authority, cited and possessed by Mr. Hallam †, that Bacon was the author of the project tried in this parliament of obtaining majorities through an organised band of members, called undertakers, of whom sir Henry Neville was the chief. Neville, in point of fact, drew up a memorial for the king's guidance in dealing with the commons. It would also appear, from the same authority, that Bacon, in recommending this course, disparaged the parliamentary management of Salisbury.‡ But this very method had been tried by Salisbury in the last parliament without effect. Sir Dudley Carlton, writing to sir Thomas Edmonds, says,—"My lord (Salisbury), further to justify his courses, had a private meeting that same night (of the day on which the commons presented the remonstrance of grievances) with a select number of the lower house, in Hyde Park, which were sir Henry Neville, sir Maurice Berkeley, sir Edwin Sandys, sir Herbert Crofts, sir John Scott, sir Thomas Goodwin, and Mr. Alford, with one more, whom I cannot remember; and how-

* Birch, Neg. Lett. of the Duke of Lennox, 380.
† Const. Hist. i. 461, 462. ‡ Ibid.

soever the matter of impositions was the chief subject of their discourse and the cause of their meeting, yet knowledge was had of it in the house, and *they were all suspected as plotters of some new design.*"*

Neville in his memorial† recommended to the king two main points—to conciliate the commons at the commencement, and to volunteer a redress of grievances. The king accordingly addressed to them, at the opening of the session, a string of rambling and wheedling conceits, beginning with the alarming growth of popery; declared he was not "so tender of his prerogative as some had rumoured him;" protested that "for undertakers he never was so base to call, or rely on any but their general love;" intimated his wants, and the "graces" which he intended. The commons, untouched by his majesty's rhetoric, desired a conference with the lords on the subject of the main grievance of last parliament—impositions by prerogative. The lords deliberated upon this proposal, and thought it advisable to obtain the opinions of the judges on the legality of impositions on merchandise before they decided. Coke, having now attained his highest object of ambition as chief justice of England, disappointed the court by some acts of insubordination. He requested permission to consult with his brother judges, and after a short private consultation, declined giving his opinion then and there upon the question, "Because it was proper," he said, "that he and his brethren, who were to speak judicially between the king and his subjects, should be disputants in no cause on any side." The lords, or, in other words, the king's council, who expected to be fortified against the commons by the authority of the judges, declined the conference; and Neyle bishop of Lincoln gave as one reason, that some of the commons, in a conference upon a matter which struck at the root of the prerogative, might proceed to undutiful and seditious speeches, unfit for their lordships' ears. The indignant commons demanded reparation; and the bishop

* Birch, Neg. 320. † Carte, vol. iv. b. 21. p. 17.

made submission "with many tears." Such was the temper of the house of commons when his majesty profferred two "bills of grace," and asked, somewhat humbly, a supply. These bills proposed to repeal that part of the statute of 34 Henry 8. which empowered the king alone to legislate for Wales; and to provide against the vexatious assignment of debts to the crown. The commons, scarcely deigning to notice these unimportant concessions, postponed the question of supply, and took up that of grievances. The king sent a message, that if the supply were delayed he should dissolve the parliament. This menace produced a momentary pause, but failed to divert the commons from their purpose, and the parliament was dissolved on the 7th of June, without having passed a single act.

Thus powerless were the "undertakers" to wield the commons. In this, as in the last parliament, they were alarmed and indignant at the idea of being brought to sale by a self-constituted and secret committee. The attempt to obtain a majority in the house of commons by means of these undertakers, has been regarded as the origin of that system of parliamentary management which, after some time, became the mainspring of administration in England. But the two modes of operation are essentially different. The influence of the undertakers was personal and invisible; that which has actuated later parliaments, was that of parliamentary proprietorship and court patronage, exercised with the full knowledge and mutual understanding of the parties. This attempt by undertakers, however, was a proof, and, what was still more important, an acknowledgment, of the force and right of the commons as a co-ordinate power in the constitution.

James and his council had the folly to extend his chastisement beyond the dissolution. Vehement speeches were made on the 6th, when the commission was sent to the house of lords, to be there suspended *in terrorem* before the eyes of the other house. John Hoskins, who talked of getting rid of the Scotch by "a Sicilian ves-

per," Walter Chute, Thomas Wentworth, sir Charles Cornwallis, and Christopher Neville, son of lord Abergavenny, were committed to the Tower.* Not a man of these claimed the writ of habeas corpus, or challenged the arbitrary warrant of his commitment. The reason, or, more properly perhaps, the inference, is, that the commons were strong only as an assembly, but that there was no settled security for the liberty of the subject; that there were vigorous and irregular roots of a political constitution, but no particular guarantee, either of judicature or jurisprudence, for civil liberty.

The king was now in extreme distress. He reduced his household, and banished the Scotch to the north of the Tweed, by proclamation.† Application was made for a loan to the citizens of London. Those prudent persons, to whom the king had paid neither principal nor interest of a former loan, lamented that they were unable to supply his majesty. His privy seals were every where declined. He resorted to a benevolence, an expedient at once despotic and eleemosynary; and this produced him 53,000*l.*, from, says Carte, "the well-affected nobility and gentry."‡ Among those not so well affected, who refused to contribute, was Mr. Oliver St. John. He addressed a letter to the mayor of Marlborough, declaring benevolences against law, reason, and religion, and for this offence he was fined 5000*l.* by the

* Anthony Wood (Ath. Oxon. ii 626. Bliss's edit.) records some curious particulars of these members. Hoskins being asked in the Tower whether he knew the consequence of "the vesper," which he proposed, answered, that he had some information thereof from Dr. Lionel Sharpe of Cambridge, upon which the doctor, "with sir Charles Cornwallis," was committed to the Tower, and the three remained prisoners there for a twelvemonth. Hoskins, according to the Oxford antiquary, a bad lawyer, but a good poet and scholar, "polished Ben Jonson, and made him speak clean." It is strange that he should not have been as well informed about the Sicilian vespers as Dr. Sharpe. Sir Charles Cornwallis suffered his year's captivity through a mistake. He meant to support "unbounded supplies," but the king mistook the design of his oration. (Ibid. note 3.) Neville's offence was "making sport" with a schoolboy speech, in which he reiterated, "O tempora! O mores!" Anthony Wood merely says that Hoskins "made a desperate allusion to a Sicilian vesper." Carte points this summary process at the Scotch. From Wilson's account of the proceedings in the commons, it is doubtful whether "the growth of popery," and not of Scotchmen, was not the nuisance to be abated. Camden (Annales Jacobi I. sub anno 1614) mentions only Hoskins, Chute, Wentworth, and Neville, as committed, without assigning their offence.

† Carte, book xxi. p. 29. ‡ Ibid.

star-chamber. The attorney-general Bacon, who prosecuted him upon information *ore tenus*, contended that benevolences were legal provided they were voluntary; and the chief justice Coke, who had before expressed a different opinion, pronounced strongly in their justification. Bacon having stated, that the satellites of prerogative in the star-chamber "all did well," passes them individually in review to the king. "My lord chief justice," says he, "delivered the law for the benevolence strongly;" and insidiously adds, "I wish he had done it timely."* The short letter of St. John, for which he was fined, well deserves perusal. He began with Magna Charta, the fountain-head, and traced the enactments derived from it. This was the true view of an English constitutional question.

It is a sad descent from the proceedings of the commons, and the developement of the constitution, to the profligacies, the vile confederates, and the memorable crime of the favourite Somerset; but such are the materials of history in this reign. Henry Howard, earl of Northampton, one of the worst and vilest of those confederates, was rescued from personal exposure, if not from punishment, by death. He proceeded before the star-chamber, in the Michaelmas term of 1613, against several persons for defaming him as a papist, a favourer of popish priests, the writer of a letter to cardinal Bellarmine, and a protestant only in outward show. There are two versions of the inculpated passage: 1615.

* Bacon's Works, v. 358. Hargrave, in his introduction to the case of St. John (State Trials, ii. 899.), says, "In our introductory note to the case of impositions, benevolences were enumerated as one of the devices of extra-parliamentary taxation, ante, 371. As such, the stat. of 1 Ric. 3. c. 2. styles them an unlawful invention, and annuls them for ever. But the benevolences, mentioned in this statute, are described to have been so in name only, and to have been taken by coercion. Still, therefore, it was insisted that gifts to the crown out of parliament, if really voluntary, were lawful. So Lord Bacon argued in the following case; so, in the same sense, Lord Coke is stated to have declared the law; so Lord Coke himself gives his opinion in his notes on benevolences, in the twelfth report; and so, according to him, all the judges resolved in the 40th of Eliz. 12 Co. 119. Lord Coke lays a stress on the statute of 10 Hen. 7. c. 10., which, after reciting that many of the king's subjects had severally granted to him divers sums of money, of their free wills and benevolences, and that some of these were in arrear, provides a remedy for compelling the payment."

one, "That however the condition of the times compelled him, and his majesty urged him, to turn protestant, yet, nevertheless, his heart stood with the papists, and he would be ready to further them in any attempt*:"—the other, "That having writ a book against Garnet the Jesuit, he secretly intimated to Bellarmine, that he wrote it *ad placandum regem sive ad placendum populum*, and requested that it might not be answered.† The case went hardly against the accused, and the presiding counsellors were about to consider of their judgment, when archbishop Abbot produced the very letter from his pocket, and confounded the prosecutor. It appeared that Abbot had shown the letter to the king on the death of Salisbury in order to prevent the appointment of Northampton to the treasurership. By what means the archbishop became possessed of the letter did not appear, and was not even made a question: they could not have been honest means, unless upon the supposition, or the feeling, then prevalent, that no means against papists were dishonest. The accusation recoiled, according to some accounts, fatally upon the accuser. Northampton took the exposure, or the consequent loss of the king's favour, so much to heart, that he retired to his house at Greenwich, settled his affairs, made his will, in which he declared himself of the same faith wherein he was baptized‡, returned to his house in London, and died there, in midsummer, 1614, of a surgical operation, or of grief. It is only necessary to add here, that he was an accomplished courtier in every sense,—the best and the worst; that he was one of the few liberal and enlightened encouragers of the fine arts;

* Hist. of the First Fourteen Years of King James, Somers' Tracts, ii. 296.

† Coke's Reports, 132., and State Trials, ii. 862. "Ad placendum populum" must be lawyer's Latin, and not Northampton's, who, with all his demerits, was a scholar.

‡ Hist. of the First Fourteen Years of King James, ubi suprà. In his will (Parke's edit. of Walpole's Cat. of Royal and Noble Authors, ii. 173. from Harl. MSS. No. 6693.) he says, "In qua fide puer natus fui, in eadem senex morior." He was buried, by his own directions, at Dover Castle. Some said he chose this burial-place for the convenient transport of his remains to Rome; others could not believe that his death was not pretended, whilst he was living at Rome in the open indulgence of the luxuries of popery.

that he built Northumberland House, and founded three hospitals.*

Somerset, on the death of Northampton, succeeded him as warden of the cinque ports, and chancellor of the university of Cambridge. He was also appointed lord chamberlain in the room of his father-in-law, Suffolk, now made lord treasurer. The credit of the favourite and the Howards, thus apparently strengthened, yet soon gave way. It was assailed by the most expert court agents, spiritual and temporal, with congenial arts. To supplant Somerset, it was contrived that a new favourite should catch the eye of his sacred majesty. The new minion was George Villiers, second son of sir George Villiers then deceased, who excelled the young men of the day in personal graces, and had cultivated, like Somerset, and in a much higher degree, his early dispositions at the court of France. He appears to have attracted the king's notice for the first time at Apthorpe in Northamptonshire.† The place of cup-bearer was soon purchased by him or for him ‡, and in December, 1614, he was already looked on as the rival of Somerset. James I., like other persons of mean understanding, was vain of the arts of low cunning and circumvention. It was in this sense, and by an inaccurate version of a foreign phrase, that he was called by some, on the authority of Henry IV., "the wisest fool in Christendom."§ His majesty determined, as a preliminary to installing the cupbearer as a favourite, that he should be recommended by the queen, whose future reproaches could be answered by reminding her that it was her own recommendation. Archbishop Abbot took upon him the curious ministry of proposing this arrangement to the queen; and she with some reluctance entered into it. The queen, it is most likely, was influenced by her overruling hatred of Somerset, not by the authority of the archbishop. After this strange step of

* At Greenwich, at Clun in Shropshire, and at Castle-Rising in the county of Norfolk.

† Reliq. Wotton.

‡ Carte, iv. 32.

§ Weldon's Secret History, &c.

Abbot, there can hardly be a doubt that he was governed by his hatred of Somerset and the Howards, not by his conscience, in the matter of Essex's divorce. Villiers was accordingly knighted and made gentleman of the bedchamber. The king having, as he thought, circumvented the queen, tried the same arts upon Somerset. Villiers, upon his promotion, waited, by the king's desire, upon Somerset, and began his address to him with,—"My lord, I desire to be your servant and creature, and to take my court preferment under your favour." Somerset sharply and frankly replied, "I will have none of your service, and you shall have none of my favour; I will, if I can, break your neck."*

The fortune of Villiers had two escapes. Upon his first coming to court, he tried, in his humbler ambition, to marry the daughter of sir Roger Aston, an Englishman by birth, but bred in Scotland, where he had been the king's barber, and by his shrewdness and prudence obtained the king's favour and great wealth. Villiers was unable to make a settlement of 80*l.* a year, and thus escaped a marriage which would have barred his pretensions. In the second escape he ran the risk of being ousted as he had himself ousted Somerset. James, in the beginning of 1615, visited for the first time the university of Cambridge, upon which occasion the university distinguished itself "by prostituting," says Camden, "academical degrees to illiterate persons," and by the well-known performance of *Ignoramus*, a Latin comedy, or five-act farce, in ridicule of the common lawyers, with passing jests on jesuits and puritans, three divisions of mankind whom James regarded with aversion.† Somerset was descending rapidly: he was suc-

* Weldon, 83.

† Miss Aikin, who has given an entertaining account of this visit, observes with truth, that Ruggle, the author, was not otherwise distinguished. There is nothing in the piece from which dramatic or any other decided talent could be inferred. It proves only a complete familiarity with Plautus and Terence. The intrigue, and the subordinate personages by which it is carried on, are taken from Roman comedy, with a total disregard of modern life and manners; and the dialogue is laughable, not from its strokes of wit or humour, but from its grotesque Anglo-Gallo-Latin. The following is a characteristic and favourable specimen:—

ceeded as warden of the cinque ports by lord Zouch, his enemy, and as lord chamberlain by the earl of Pembroke, who was one of those that brought in Villiers The new lord chamberlain, provoked by the growing insolence of Villiers, or wishing to introduce a favourite who should be wholly indebted and devoted to him, marked the notice taken by the king of a student who played the heroine of the comedy, and endeavoured to place him at court. The fortune of Villiers prevailed, and the ambition of the chamberlain was disappointed.*

Somerset felt the ground sinking under him, and trembled at his approaching ruin. It was remarked that, since the death of Northampton, he became unsocial and slovenly. He represented to the king that advantage might be taken by his enemies of some part of his conduct in his high and confidential offices, and solicited a full pardon under the great seal by anticipation. James desired him to have a pardon drawn in terms the most comprehensive: it was a cheap way to rid himself of a favourite who no longer pleased him, without disturbing his quiet. A pardon, after a precedent of Henry VIII. to cardinal Wolsey, for all crimes

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"IGNORAMUS (*the lawyer*), DULMAN, MUSÆUS, PECUS (*his clerks or juniors*).

IGN. Phi, phi; tanta pressa, tantum croudum, ut fui pene trusus ad mortem. Habeo actionem de intrusione contra omnes et singulos. Aha mounsiers, voulez voz intruder par joinct tenant, il est playne case, il est point droite de la bien seance. O valde caleor! O chaud, chaud! precor Deum non meltavi meum pingue. Phi! phi! In nomine Dei, ubi sunt clerici mei jam? Dulman! Dulman!

DUL. Hic, magister. Vouz haves Dulman.

IGN. Meltor, Dulman, meltor. Rubba me cum towallio, rubba.

* * * * * * *

Quid tu dicis, Musæe?

MUS. Equidem ego parum intellexi.

IGN. Tu es gallicrista, vocatus a coxcombe; nunquam faciam te legistam.

DUL. Nunquam, nunquam; nam ille fuit universitans.

IGN. Sunt magnæ idiotæ, et clerici nihilorum, isti universitantes; miror quomodo spendisti tuum tempus inter eos.

MUS. Ut plurimum versatus sum in logicâ.

IGN. Logica? Quæ villa? quod burgum est logica?

MUS. Est una artium liberalium.

IGN. Liberalium? Sic putabam. In nomine Dei, stude artes parcas et lucrosas; non est mundus pro artibus liberalibus jam."

It is easy to imagine the roars of laughter with which this jargon would be received by an auditory of college men, though nothing could be more flat were it spoken in plain English.

* MSS. of Sir T. Edmonds, cited in Birch's Neg. 394.

and misdemeanours "committed or to be committed," was accordingly drawn up by sir Robert Cotton, and approved by the king; but the chancellor, Ellesmere, refused to put the great seal to it, as a matter of *præmunire*. The malice of Somerset's enemies, the little faith to be reposed by him or any body in the king, the fortune which he had amassed by the corrupt use of his power and patronage*, were sufficient motives for this precaution. But he was soon charged with much stronger reasons for covering himself with the impunity of a general pardon. Sir Thomas Overbury, the bosom friend of Somerset, was committed, it has been observed, for a contempt of the king's authority. After six months' captivity, he died, and was buried the same day, in the Tower. For some time, none dared openly to express suspicion of foul practice; but no sooner did fortune and court favour cease to smile on Somerset, than suspicions and surmises were freely circulated. It is not certain by whom, or by what means, the murder of Overbury was discovered: the credit of the first trace seems to lie between the industrious rancour of an ecclesiastic and the base ingratitude of a courtier.† Sir Ralph Winwood was made secretary through the influence of Somerset. The secretary, according to one account, found evidence of the murder among the papers in his office; according to another, he was furnished with a clue by Abbot, archbishop of Canterbury, — who had voted against the sentence of nullity; who had denounced Northampton to the king, and produced his letter to the star-chamber; and who had procured the queen's consent to the promotion of the new favourite Villiers. The first step was the arrest, by warrant from the chief justice, of a person named Weston. He re-

* The money, plate, and jewels, which he had heaped up together amounted to 200,000*l.*, his lands to 19,000*l.* per annum. Hist. of Fourteen First Years of King James, Somers' Tracts, ii. 301.

† Bacon ascribes the discovery to communications between Winwood, the earl of Shrewsbury (then dead), and Elways, the executed lieutenant of the Tower. But very little credit is due to the mere statement of his case by a crown lawyer (see his statement of the case in the State Trials, and in his works) of this period or of any other.

sisted, for a time, all the arts of menace and persuasion which the chief justice Coke was master of, but at length gave way to the more awful or more dexterous arguments of the bishop of London. The veil was now torn from a scene of human weakness and depravity rarely paralleled.

The countess of Somerset had a dependent friend, who had been a companion of her education, now the widow of a physician named Turner. This woman, alike credulous and profligate, had employed the arts of a pretended sorcerer, known by the name of doctor Forman, to captivate sir Arthur Mainwaring. Such was the power of Forman, that the lover came several miles in the night, during a storm, to visit his mistress. Mrs. Turner had the simplicity to ascribe the passion which she inspired to the charms of the necromancer, and not to her own: she appears, from a poetical portrait of her, to have been eminently beautiful.* This woman introduced lady Essex to Forman, for the purpose of employing his supernatural influence upon Somerset, who also, like sir Arthur Mainwaring, was really captivated. But lady Essex, too, had youth, beauty, and the fascinations of a court. The earl and the countess had their secret meetings at the house of the wizard. All, hitherto, was but imposture, simplicity, and licentiousness; but the scandalous judgment of nullity was no sooner obtained, than the still more scandalous marriage followed, and Somerset was induced to lend himself to his wife's vengeance upon Overbury.

The arrest of Overbury was the first step in the history of his murder. Encouraged, it has been observed, underhand by Somerset to refuse the foreign embassy, he was committed to the Tower, and his life thus placed at the discretion of his enemies. Wade, lieutenant of the Tower, was removed, and sir Gervase Elways, a creature of Northampton and Somerset, appointed in his place. From superstitious illusion, and the frailty of the passions, there is but a step to crime.

* See note, post. p. 253.

Mrs. Turner provided the countess of Somerset two persons,—Weston, an apothecary's servant, and Franklin, an apothecary, — to poison Overbury. Northampton and sir Thomas Monson recommended Weston to be the keeper and attendant on Overbury, who was kept a close prisoner; and Franklin was to supply him when he wanted medicines. Poisons of all kinds were administered to him, in all forms—in his medicines—in his daily food. Weston told his employers that he had given him enough to kill twenty men. The slow progress, and the symptoms described as the effects, would make the poisoning questionable, if it were not confessed by so many of the criminals. Overbury, during a struggle of doubtful issue between nature and the poison, was suffocated with the bedclothes by Weston and Franklin.* The body, under pretence of rapid decomposition, was buried in the Tower the same day, in pursuance of a letter to the lieutenant from Northampton. His letters are truly curious.† He conveys to the lieutenant the desire of my lord (Somerset) that all honour consistent with immediate burial should be done the remains of his lamented friend. Franklin was brought back from Flanders, whither he had fled with his reward for the murder. Weston‡ and he were tried, convicted, and executed on their own confessions. Elways the lieutenant, after his conviction, made a full confession on the scaffold. He ascribed his crime and death to his having broken a vow which he had made on a particular occasion, that if he ever gambled more he might be hanged. The unhappy fate, the beauty, and the penitence of Mrs. Turner excited pity among those who witnessed her trial and execution.§ Sir

* This is the account of Sir Anthony Weldon, who cites the confession of Weston, in the printed version of which it does not appear. But the confessions of dying criminals in this age, as they were allowed to appear in print, are far from deserving implicit confidence, and Weldon's account may be true.

† See Somers' Tracts, ii. 335, 336., and State Trials, ii.

‡ Weston stood mute for two days, in spite of Coke's menace and minutely shocking description of the *peine forte et dure.*

§ She is described as follows, in the poem entitled "Sir Thomas Over-

John Holles, sir John Wentworth, and a Scotsman named Lumsden, were fined in the star-chamber as slanderers of public justice — the two first in having tried to persuade Weston to retract his confession on the scaffold, the last in conveying a false report of Weston's arraignment to the king. Their object was to protect Somerset.

The strangest disclosures were made during the trials. It appears that the countess, whilst yet the wife of Essex, sent for sir David Wood, who had a quarrel with Overbury, complimented him on his valour, and complained to him of her wrongs. Wood answered, that Overbury "had refused him the field." The lady then offered him 1000*l.* and a full protection as the price of killing their common enemy. He rejoined, that he would be loth to hazard going to Tyburn on a woman's word.* Letters were read from Northampton to the lieutenant of the Tower and to Somerset. The former

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bury's Vision." Har. Mis. iii. 344, &c. The shades of his murderers are supposed to pass in review before Overbury: —

"And in a moment's space another stood
In the same place; but such a one, whose sight
With more compassion moved the poison'd knight:
It seemed that she had been some gentle dame,
For, on each part of her fair body's frame,
Nature such delicacy did bestow,
That fairer object oft it doth not show:
Her crystal eye, beneath an ivory brow,
Did show what she at first had been; but now
The roses on her lovely cheeks were dead,
The earth's pale colour all had overspread
Her sometimes lively look, and cruel death,
Coming untimely, with his wintry breath
Blasted the fruit, which, cherry-like in show,
Upon her dainty lips did whilome grow.
O how the cruel cord did misbecome
Her comely neck! and yet by law's just doom
Had been her death. Those locks, like golden thread,
That used in youth t' enshrine her globe-like head,
Hung careless down; and that delightful limb,
Her snow-white nimble hand, that used to trim
Their tresses up, now spitefully did tear
And rend the same: nor did she now forbear
To beat that breast of more than lily-white,
Which sometime was the lodge of sweet delight:
From those two springs, where joy did whilome dwell,
Grief's pearly drops upon her pale cheeks fell."

* These are his own words in his examination. State Trials, ii.; Trial of the murderers of Overbury, Som. Tracts, ii. 326.

leave little if any doubt of his participation in the death of Overbury; the latter were in some parts so indecent that the reading was interrupted, and they are printed in a garbled state. The letters of lady Essex to Mrs. Turner, and to the necromancer, whom she addresses by the name of "sweet father," disclosed her infatuated confidence in his mystic arts, and the more criminal infatuation of her passion for Somerset. But the most curious exhibition was that of the implements of Forman's art, — the waxen images, symbols, enchanted papers, black scarfs full of white crosses. This indescribable assortment of awful curiosities was no sooner laid out than the scaffold cracked, "and all," says the grave historian of the scene, "was terror and confusion among the spectators, who thought the devil was angry to have his workmanship shown by any but his own children."* They were produced by the widow of Forman, who was now dead. The quack did not forget his knavery, or his humour, even in his last moments. "Let me," said he, "be buried very deep in the ground, or else I shall fear (frighten) you all."† His memorandum book, according to the famous astrologer Lilly, contained the following entry: — "This I made the devil write with his own hand in Lambeth Fields, 1596."‡ It appeared that Mrs. Turner had burned at his house, with the consent of his widow, letters and papers relating to lady Essex, Somerset, and other great personages. One document, however, was secreted by the widow — an enchanted parchment "signifying what ladies loved what lords in the court." The chief justice, upon inspecting it, ordered that it should not be read, and it was charitably reported, that the first name he found in it was that of his wife, lady Hatton.

Whilst a spectacle, whimsically composed of the horrible and the ridiculous, was exhibited in those trials, Somerset, his wife, and sir Thomas Monson were in

* Hist. of the First Fourteen Years of King James, Somers' Tracts, ii. 332.
† Ibid. 331. ‡ Ibid. note by sir Walter Scott.

custody. The arrest of the favourite took place under remarkable circumstances. James, upon being informed of the clue obtained to the poisoning of Overbury, sent for the judges, and ordered them to proceed and spare none, uttering before them, on his knees, the following imprecation:—"If you shall spare any of this crime, God's curse light on you and your posterity; and if I spare any that are found guilty, God's curse light on me and my posterity."* He did spare, and there were those who said the curse followed the imprecation. It cannot be shown by substantive proof that the king merely acted horror and surprise, but there is the testimony of an eye-witness that he carried his dissimulation and perfidy to the grossest pitch.† Somerset attended him, as usual, after the foregoing scene, and kissed his hand previously to some ordinary absence; whilst he treated the favourite with nauseously exaggerated endearments. Their backs were no sooner turned, than the king exclaimed, "The deil tak thee, I shall never see thee mair;" and Somerset was taken into custody, in the antechamber, by a warrant from the chief justice.‡

The dark secret which pervades the relations of Overbury, Somerset, and James now begins. Monson was put upon his trial on the 4th of December. He demanded answers from the earl of Suffolk to two questions, placed by him in the hands of the chief justice, then on the bench. Suffolk wrote that he knew nothing of Monson to accuse or excuse him; but the questions are not stated. Coke then made an opening speech which would have been scandalous in a crown prosecutor. Monson said he was innocent. "There is more against you," said Coke, "than you know of: confess." He persisted in his innocence. "I have looked into this business," says Hyde, another judge, "and I protest,

* Weldon, Court and Character of King James, 92.; Coke's "Detection," &c

† Weldon, ut suprà, who attended the court, and states how he heard it.

‡ Roger Coke, in his "Detection," &c. adds, that, upon Somerset's remonstrating against his arrest in the king's presence, the latter said, "Nay, man, if Coke sends for me, I must go." It is most inconsistent with this prince's notions of his own sacredness and authority.

my lord, he is as guilty as the guiltiest." The prisoner, be it remembered, was as yet only arraigned at the bar! It was on this occasion that Coke hinted at foul play in the death of prince Henry. He was rebuked for his indiscretion; and his grounds for the expression which dropped from him have not become known. But a man who started guilt, as a hunter his game, and revelled in the chase of life, through a bloody prosecution, with the eagerness of one to whom it was a recreation and a pleasure, would overleap the bounds of truth, with as little scruple as those of humanity. Monson was abruptly removed from the bar, to the astonishment of the beholders, and never after brought to trial. This sudden turn was ascribed to a mysterious hint, received by James from his cardholder, that Monson had threatened unpleasant disclosures.*

1616. The trials of Somerset and his wife were delayed, that of the latter in consequence of her pregnancy; of the former, ostensibly in expectation of evidence from Spain against him, really from the king's secret and mysterious dread. Lady Somerset, after some time, confessed her guilt, and appealed to the king's mercy. The hopes, the fears, the confidence, the affections of Somerset, were played upon with profoundly ingenious artifice to obtain from him a confession or plea of guilty. Bacon, the attorney-general, was the chief manager, and has left, in his letters on the subject, signal proofs of his ingenuity and baseness.† Hay the countryman, and Knolles the friend, of Somerset, were sent by the king, underhand, to confer with him in the Tower.‡ One device was a "a glimmering" indirectly conveyed to him, of the king's intention not only to pardon but reinstate him.§

His former secretary was sent by the king "to work him to a good effect." The king, he was told, wanted only his confession "as a ground to work upon."|| The commissioners, including the chancellor and chief jus-

* Weldon, 103. † Bacon's Works, ut infrà.
‡ Camd. Ann. Jan. 1615. Bacon, v. 383. 386. 390. 394. 396, 397.
§ Cabala, 34. Letter of Bacon. || Id. ibid.

tice, who formerly interrogated him, intimated that the confession of his wife would save neither, but the confession of both would save both; adding, that he might perceive they did not presume so far of themselves.* Somerset, confident, according to some, in his innocence, according to others in the possession of a mysterious power over the king, resisted every attempt to bring him to confess. Upon the main charge of the death of Overbury, he was calm in his denial; but when questioned respecting the prince (Henry), "which," says Bacon, "we did very sparingly," he answered with more emotion.† The trial, with its perilous hazards, seemed as appalling to the prosecutors as to the prisoner. Such was James's anxiety, that he noted with his own hand Bacon's abstract of his intended statement of the case. His apostilles, as they are called, prove how much his habitual cunning was sharpened by his fear. The main instruction to Bacon was to establish the case without giving Somerset "occasion for despair or flushes."‡ Somerset addressed a long letter to the king, demanding an interview, in order, as he said, to prove his innocence, by circumstances which he would state to him only. The tone of the letter was unceremonious and enigmatical. § James refused the request, but did not resent

* Bacon's Works, ut suprà.

† Cabala, 35. Bacon's Works, ut suprà.

‡ Bacon's Works, v. 390.

§ The following is the most remarkable passage: —

"By this gentleman, your majesty's lieutenant, I understand of some halt you made, and the cause of it, at such time as he offered to your majesty my letters: but soon after your majesty could resolve yourself; and behold me nothing so diffident of you, but in humble language petitioning your favour; for I am in hope that my condition is not capable of so much more misery, as I need to make my passage to you by such way of intercession.

"This which follows after, I offer your majesty, though not as to yourself; for upon less motive you can find favour for me.

"Now I need only move, not plead before your majesty, as my case doth stand; for what I seek to have done follows upon what you have already done, as a consequence and succeeding growth of your own act.

"But to the intent that your majesty may see that there is enough to answer those (if any such there be) as to go about to pervert the exercise of your power, and to turn it from its own clear excellency, for to minister unto their passions; I have presumed, to this end, to awake your majesty's own conceit upon this subject, which can gather to itself better and more able defences in my behalf upon this view. For though the acts of your mercy, which are not communicable, nor the causes of them with others, as derived from those secret motives which are only sensible and

the letter. "Somerset," he says, "may have an audience with me after, but not before, his trial." *

On the 24th of May, Frances Howard, countess of Somerset, was placed at the bar. She wept and trembled whilst she held up her hand, pleaded guilty, and, in a voice scarce audible, begged the intercession of the peers for the king's mercy in her favour. Bacon made a few general observations, in a tone of compassion, for the unhappy lady; and, after the reading of some irregular and conceited instructions from the king †, prayed judgment. The lord steward (Ellesmere) passed upon her the usual sentence of death, and she was taken away from the bar.

The next day was appointed for the trial of Somerset: it was preceded by an extraordinary scene. Sir George Moore, lieutenant of the Tower, gave his prisoner the usual notice to be ready: Somerset answered, that "they must carry him by force in his bed;" that he had the king's assurance for his not being brought to trial; and that the king dared not break his promise. Moore, in his perplexity, went with the utmost speed to Greenwich, and informed the king of the conduct of Somerset. James, according to sir Anthony Weldon, who declares that he had his information from Moore himself, wept like a child, and begged the lieutenant to extricate him. "On my soul, Moore," said he, "I wot not what to do. Thou art a wise man, help me in this great strait, and thou shalt find thou dost it for a thankful master." The lieutenant went back to the

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privy to your own heart, and admit of no search or discovery to any general satisfaction; and that, under this protection, I might guard my particular sufficiently: yet my case need not hide myself, but attend the dispute with any that would put upon it a monstrous and heavy shape. Though that I must acknowledge that both life and estate are forfeited to you by law; yet so forfeited, that the same law gives you the same power to preserve, as it doth to punish, whereby your majesty's higher prerogative doth not wrestle with it, nor do you infringe those grounds by which you have ever governed, so as the resistance is not great, that your majesty hath for to give life, and, which is less, the gift of estate; for that the law casts wholly upon yourself, and yields it as fit matter for exercise of your goodness.'—*Som. Tr.* ii. 256.

* Letter of James, Archæol. xviii.

† State Trials, ix. 256.

Tower, represented to his prisoner the king's intention to stop all further proceedings upon Somerset's satisfying justice by appearing at the bar; and, by "this trick of wit," induced him to proceed voluntarily to Westminster Hall at eight o'clock next morning. It was natural to expect that Somerset, finding himself thus lured into the toils, would break out with increased violence; and for this contingency the lieutenant was prepared. Somerset, when placed at the bar, was guarded by two of the Tower sentinels, who stood one on each side with cloaks on their arms, ready, at the first signal of "his flying out on the king," to hoodwink him with the cloaks and carry him off by force from the bar.* Bacon stated the case with consummate art; never urging the guilt of Somerset without a suggestion of pardon, and opening with the declaration, that he should abstain from invectives by the king's order; "a matter," says he, "that, though we are glad of so good a warrant, yet we should have done of ourselves; for far be it from us, by any strains of wit or arts, to blazon our name in blood." This was obviously a stroke aimed at Coke's notorious brutality. Somerset maintained his innocence, and defended himself against the charges with unexpected courage and capacity; but was declared guilty by the peers without a dissentient voice. He made no charge against James; but, in praying the intercession of the peers for the king's pardon, added the significant words, "if it be necessary."

The king's restless agony of suspense during the trial †, joined with his previous conduct ‡, leaves no doubt that Somerset's hold upon him was that of fear.

* This part of Weldon's account is almost directly corroborated by the following "Particular remembrance for his Majesty," drawn up by Bacon:—

"It were good that after he is come into the hall, so that he may perceive he must go to trial, and shall be retired to the place appointed till the court call for him, then the lieutenant shall tell him roundly, that if in his speeches he shall tax the king, that the justice of England is that he shall be taken away, and the evidence shall go on without him; and then all the people will cry away with him; and then it shall not be in the king's will to save his life, the people will be so set on fire."—*St. Tr.* v. 2. Trial of Somerset.

† Weldon. ‡ Archæol. xvii. 355.

What was the mysterious secret which saved Monson, and emboldened Somerset? The solution has generally been abandoned in despair, or in disgust. To dismiss at once the turpitudes of the king's private life and character, every body who has looked into the letters and memoirs of the time, must know that Somerset and Monson could say nothing which was not already a matter of court notoriety and correspondence; and that the only effect would have been to draw down a cry of loyal indignation from the lords temporal against the calumniator, of pious horror from the lords spiritual against the blasphemer, of his sacred majesty. Neither Somerset nor Monson could have any cognisance or participation with the king in the poisoning of prince Henry, for this conclusive reason, that the prince did not die of poison. The suspicion, it is true, prevailed at the time, and even in the present century has received some countenance from Mr. Fox *; but no authority can withstand the direct evidence of the autopsia made and signed by the physicians: — *Ventriculum nulla ex parte læsum,* the stomach was nowhere injured: in other words, he had taken no poison. But there is a third solution of the mystery, proved by almost direct evidence — the participation of the king in the perfidious scheme by which Overbury was tricked into the Tower, and his guilty knowledge of Overbury's murder. "It is easy to be seen," says the king in a letter to Moore, the lieutenant of the Tower, "that he would threaten me with laying an aspersion on me of being in some sort accessory to his crime." † The violent expressions of surprise and horror, the imprecations upon the judges and upon himself, are symptoms of his secret guilty consciousness. Why did he, in imagination, make a sudden stride over the vast chasm between the first trace of crime and the pardon of the convicted criminals, but from his knowledge of the guilt of the parties? Extravagant manifestations sometimes supply a violent

* Pref. Hist. King James II. † Archæol. xvii. 355.

presumption on the opposite side. But why, it may be asked should James conspire the imprisonment or death of Overbury with Somerset? The obvious and probable reply is, that he was affected, in common with Somerset, by the ambiguous menaces of Overbury, whose secret is the great and only real difficulty. That the king regarded Overbury, even in the grave, with aversion, is evident from Bacon's studiously decrying his character. In the uncertainty and licence of conjecture, mention may be made of the queen's assertion, that Somerset and Overbury plotted against her life.* Her charge has been pronounced by Carte insincere and frivolous, but without assigning any reason for his judgment. She assuredly had, and, if it may be so expressed, has, a right to be heard. Her husband avoided her company, and was yet jealous of her person; she, in return, regarded his pursuits and character with contempt, his person with loathing: her hatred of the favourite is known, and she made a formal complaint of Overbury's insolence. This was a relation of feelings very capable of suggesting a plot against her life with the participation of her husband.

It is a relief to turn away from a scene in which all the personages are odious, profligate, or despicable. Overbury's fate gave a false interest to his character: he threatened to avenge his wrongs on Somerset, by the breach of private and sacred confidence; he provoked lady Somerset by unmanly insult and scurrilous verse. The provocation and the menace could have proceeded only from a base mind. Somerset and his wife were ultimately pardoned: they lived in retirement a miserable life of corroding recollections, and mutual reproaches. Lady Somerset lost prematurely the beauty which was one cause of her misfortunes Their only daughter, born in the Tower, was the duchess of Bedford, mother of lord Russell, and worthy,

* Despatches of Desm., cited in Carte.

it has been said, of such a son.* Her mother's history had been so carefully concealed from her, that she learned for the first time, only a year or two before her death, the story of the divorce of lady Essex.† Somerset tried to recover his forfeited estates, both from James and Charles: he tried in vain, — they had been conferred on Buckingham. But James reserved him an allowance of 4000*l.* a year for his life.‡

The condemnation of Somerset was soon followed by the disgrace of sir Edward Coke. This incident should not be viewed merely as the dismissal of a chief justice. It is important from its connection with the transactions of the time, and curious in relation to his personal character. That great lawyer, usually so called, the champion of judicial independence in his life, the oracle of English jurisprudence in his writings, was a sycophant, and, as it frequently happens, not more servile than overbearing: this was fortunate. Upon reaching the goal of his ambition, he became mutinous and arrogant, where another would have been independent from virtue. His understanding, narrow but vigorous, derived additional force from its compression within a narrow sphere. A bigotted common lawyer, he, like all bigots, saw neither knowledge nor salvation out of his sect; and he not only resisted with uncompromising strength the encroachments of the ecclesiastical courts, but kept the jurisdiction in equity within bounds. It may be proper to glance back at his chief acts of insubordination in their order.

Coke has received credit from more than one writer for having opposed archbishop Bancroft's *Articuli Cleri;* that is, articles of complaint exhibited by the archbishop, in the star-chamber, against the judges of Westminster Hall, for issuing writs of prohibition to the ecclesiastical courts. He has condemned them in his second Institute, but he was only attorney-general working for

* Coke's Detection, i. 88.
† Oldmixon, from a MS. authority.
‡ Coke's Detection, i. 88.

his promotion by the most odious subserviency when these complaints were exhibited, in 1605, and the judges delivered their answers *, before he was made chief justice of the Common Pleas, in the following year.† It may be added that Collier, the ecclesiastical historian, has found matter in his reports to oppose, on the side of the *Articuli Cleri*, against his Institutes. His first resistance to the wishes of the king was in 1608, whilst chief justice of the Common Pleas. The archbishop and the civilians now complained to the king of the invasions of their jurisdiction by the courts of common law; and James commanded the attendance of the judges to meet the archbishop. Bancroft maintained that the king could either himself decide, or determine what jurisdiction should decide, on any matter, by his authority, derived from the word of God in Scripture. Coke denied that it was law. The king said all law was founded on reason, and he and others had as much reason as the common lawyers,—a proposition of the king in which reason and folly are curiously jumbled. The chief justice answered, in substance, that his majesty was a prodigy of science, but yet not learned in the law of England; that causes were to be decided, not by natural reason, but by artificial reason and judgment of law; and that the king was, in the words of Bracton, *sub Deo et lege*. Upon this his majesty hinted that the chief justice spoke treason‡; told him plainly he was a fool, and would have proceeded to more violent extremities, if the treasurer Salisbury had not thrown himself on his knees and pacified him.§ A lawyer will lend himself, as a crown advocate, to iniquities from which he would shrink as a judge; and it may be due to Coke to suggest that he was actuated by his knowledge and his sense of right, as well as by that spirit of sect which animates a monk for his order. He next proved refractory in

* Easter term, 1606. 2 Inst. 601.; and State Trials, ii. 134.
† Camd. Ann. June 27.
‡ Coke, 12 Rep.
§ Lett. in Lodge's Illus. iii. 364, 365.

1610. Coke was asked by the chancellor in council whether the king, by his proclamation, could prohibit new buildings in London, there being no express law. The judicial character of Egerton has been extravagantly over-praised. He had but the negative and single virtue of not being stained, like his predecessor Puckering, and his successor Bacon, with flagrant corruption. On this occasion, he followed up his question to Coke by saying he would advise the judges to make a precedent where they found none, and support the king's prerogative. The chief justice gave, at the moment, the quaint and conclusive answer, that he had seen many indictments *contra leges et statuta*, not one *contra regiam proclamationem;* and after conferring, by permission, with three of the judges, gave it as their joint opinion, that a proclamation could not make any thing an offence which was not an offence before.*

It will appear extraordinary that, after this experience of the temper of Coke, he should have been raised to the chief justiceship of the King's Bench, and sworn into the council. This took place in 1613. He owed it to the intriguing ambition of Bacon, whose way to the attorney-generalship he blocked; and to the favourite Rochester, created the same day earl of Somerset.† Bacon, in a memoir addressed to the king, intimated, among other reasons, that admission to the privy council would render Coke an obsequious judge. It was the fortune of Coke to hate all his eminent contemporaries, and to be hated by his contemporaries, whether eminent or humble, in return. His antipathy to Egerton was, perhaps, short of his envious hatred of the superior genius and more adroit servility of Bacon. He saw in the one the actual chancellor, in the other an immediate aspirant to succeed a man in very advanced age, who spoke of retiring, and he despaired for himself of the great seal. These passions, and the maxim, said to be his‡, that it is the duty of a judge to enlarge his juris-

* 12 Rep. State Trials, ii. 725, 726.
† Camd. Ann. Jac. 1613. ‡ Carte, iii. b. 21. p. 35.

diction, made Coke attempt to tie up the hands of the chancellor. A verdict, in a particular case, having been obtained by gross chicanery, the party aggrieved filed a bill in equity: the adverse party refused to answer; was committed for contempt; and Coke not only encouraged a prosecution of the parties to the committal, but theatened the chancellor with the penalties of *premunire*. He, however, did not appear directly, and the king, after hearing the matter, like another Solomon, declared in favour of the chancellor.

The chief justice appears to advantage in the case of commendams. A question having arisen in the court of Common Pleas upon the king's granting a living in his gift to a bishop in commendam,—that is, to hold with his bishopric,—his prerogative was called in question by counsel. This was touching sacred ground. The king ordered Bacon, the attorney-general, to signify his desire to the chief justice not to proceed to judgment *rege inconsulto;* that is, without having first taken his majesty's pleasure. Coke desired that similar orders should be sent to the other judges*; which was done accordingly. The judges proceeded notwithstanding, but excused themselves in a letter setting forth the obligation of their judicial oath. The twelve judges, summoned before the king in council, were severely reprimanded by his majesty for allowing his prerogative royal to be disputed by vulgar lawyers; threw themselves on their knees, and acknowledged that, in their letter, which he had called novel and indecent, they had erred as to the form. Coke defended the substance; the chancellor and the attorney-general answered him; and eventually the question was put to them, whether, pending a cause, they would suspend judgment at the king's desire to consult with them? All answered in the affirmative† except Coke, who would give no pledge: he said that when the case came before

* Bacon's Works, v. 408.

† Habart, chief justice of the common pleas, added the paltry quibble, "that he would always trust to the justice of the king's commandments."

him he would do what became a judge. It should be added, that, in maintaining the suspension of judgment in a cause at the king's pleasure to be a denial of justice, he made one of the rarest precedents in English judicial history: he cited Magna Charta.*

The untractable temper of Coke appeared to a factitious advantage beside the crouching submission of the rest of the judges. It remains to notice his resistance to the crown in the atrocious prosecution of Peacham, a puritan minister, indicted of treason "for several treasonable passages in a sermon never preached, nor intended to be preached, but only set down in writing."† That the sermon, or treatise, was a seditious, or, rather, fanatical libel, is apparent from the questions drawn up by Bacon‡, and put to the prisoner "before torture, during torture, between torture, and after torture."§ No disclosure could be exacted from him to convict others or himself. "His raging devil," acording to Bacon, "was turned into a dumb devil." The subject-matter of the charge of treason may be inferred from the question, "What moved you to write that the king might be stricken with death on the sudden, or within eight days, as Ananias or Nahal?" Bacon saw the difficulty of bringing this within the "compassing the king's death," as provided in the 25th Edward III., under which Peacham was indicted. It may be observed, in passing, for the credit of Bacon's sense of justice and humanity, as attorney-general, compared with Coke, that he indicted Peacham under this beneficent statute, which Coke, in the prosecution of Raleigh, had left out of view, and which the judges declared no longer in operation.‖ James, eager for a conviction, adopted a proceeding every way worthy of him: he desired Bacon and his colleagues to distribute themselves, and secretly feel the pulses of the judges of the King's

* See a full account of the proceedings in Carte, iii. b. 21. pp. 35—39.
† State Trials, ii. 869. ‡ Bacon's Works, v. 333, 334.
§ In the handwriting of Winwood, who was one of the privy councillors who superintended the process. State Trials, ii. 871.
‖ See Raleigh's Trial. State Trials, ii.

Bench before trial.* Coke bluntly said, that "such auricular taking of opinions was not according to the custom of the realm;" "that it was new and dangerous," "and other words," adds Bacon, "more vehement than I repeat." Coke demanded Bacon's precedents to prove the matter treason, and gave his answers seriatim in writing. "I will not," says Bacon, "call them rescripts, still less oracles." They do not appear to have been preserved, and were doubtless unsatisfactory to the court. Bacon, in a letter to the king respecting this case, makes a remark which deserves notice:—"I have," said he, "in this form followed the ancient style of the indictment for brevity's sake; though, when we come to the business itself, we shall enlarge it according to the use of the latter times,"—a striking proof of the abusive laxity and amplification in the forms of criminal procedure which had displaced the more strictly legal forms exacted by the rude good sense of earlier times. Peacham, condemned, but not executed, died in prison.

Coke, becoming sensible of his danger, tried to expiate his independence. A person named Owen was indicted of treason, for having said that the king, if excommunicated, might be lawfully put to death,—a monstrous position, but not the legal crime of treason. The chief justice in this case, "to show his forwardness, I take it," says Bacon†, pointed out to the crown lawyers before trial, and not judicially, passages from Suarez and other jesuits, to prove the king actually excommunicated, and the language of Owen therefore treason *in præsenti.* This assuredly was not less irregular than the auricular taking of opinions with which he had refused compliance in the case of Peacham: but Coke was a man actuated, even when he did right, by selfish passion, not by a sense of duty. Bacon, who knew the weakness of James on the point of excommunication, commended Coke's diligence, and "withal put it by."‡

It is easy to perceive the secret purpose to recommend himself in Coke's fierce and indefatigable pursuit of the

* Bacon's Works, v. 354. † Id. v. 348. ‡ Id. ibid.

murderers of Overbury. But his doom was previously sealed, and its execution only postponed until he should have done that very work of blood for which he was so well qualified by his temper and experience. "My opinion," says Bacon to James, "is plainly that my lord Coke at this time* is not to be disgraced, both because he is so well habituated for that which remaineth of those capital causes, and also for that which I find is in his breast touching your finances and matters of repair of your estate." But he had sinned beyond forgiveness. "To be plain with your majesty," says Bacon in the same letter, "I do not think there is any thing a greater *polychreston*, or *ad multa utile* to your affairs, than upon a just and fit occasion to make some example against the presumption of a judge in causes that concern your majesty, whereby the whole body of those magistrates may be contained the better in awe." He then proceeds to show that Coke, for his presumption, deserved to answer it on his knees before the king or his council, and that judges should be taught not to handle such high causes without consulting his majesty, and concludes thus:—"I am not without hope that your majesty, in your great wisdom, unto which I confess myself not to be worthy to be a card-holder or candle-holder, will make profit of this accident as a thing of God's sending." His majesty in his great wisdom accordingly ordered Coke to appear before the council, and answer charges of malversation in money as attorney-general, as well as of misbehaviour as a judge: he appeared, and gave in his answers. They did not content his majesty; and he was ordered to appear a second time before the council, in order to receive on his knees the merciful judgment of his majesty, which was, that he should forbear the council table and his summer circuit, employ the vacation in correcting errors in his reports, and bring the corrections to his majesty. Coke made a grovelling acknowledgment of the king's justice and mercy, took to

* At the time when he threatened the chancellor with a premunire.

revising his reports, and submitted to the wisdom of his majesty five corrections so trivial that he might be suspected of presenting them as a piece of grave irony. His punishment might have stopped here, but for the malice of Bacon and the rapacity of the favourite Villiers. The ruin of Somerset had left at the disposal of Coke a profitable office in his court, which he had promised at his elevation to place in the gift of that favourite. Buckingham fixed his eye on it as part of his inheritance, and Coke submitted with a bad grace. "No, Mr. Attorney," said he to Bacon, "I will not wrestle now in my latter times." Bacon replied, "My lord, you speak like a wise man."—"Well," rejoined Coke, "they have had no luck with it that have had it," alluding to Somerset. "Here," says Bacon in a letter to Villiers, "you have the dialogue to make you merry."* He was accordingly removed, and Montague, king's sergeant, appointed to succeed him. The chancellor in his customary address to the new chief justice bade him "remember the putting down of his predecessor, and by whom:" it might be doubted whether he would inculcate the fear of the king or the favourite. Coke wept like a child on receiving his dismissal — so little had this man of true independence.

A curious chapter might be written upon the long strife of servile ambition and mutual hatred between Coke and Bacon, which led to this catastrophe. The pedant lawyer under Elizabeth, treated as an inferior—with savage contumely,—the man of science and genius—who avenges himself under James, by insidious and secret arts. The only direct attack made by Bacon was but the more dastardly: it was made upon an adversary already prostrate. He addressed, without the slightest pretence, a letter to Coke on his disgrace, placing before him "his true shape as in a glass," that is, describing the vices and weaknesses of his character with industrious malice, but scarcely overcharged. Exaggeration might be dispensed with even by an enemy. Coke was mean,

* Bacon's Works, v. 362.

insolent, covetous, and cruel: he trampled upon weakness, he insulted misery, he cringed to power, he amassed a fortune of 10,000*l.* a year by unscrupulous means, and was noted for giving nothing to the poor in an age when the social depression and dependence of the common people rendered charity a common virtue.* Neither his capricious independence in a few instances, one of which (that of questioning the prerogative) he recanted on his knees at the council table, nor his subsequent defection to the popular cause, can redeem his memory from reprobation. Bacon's punishment, at least equally merited, and more severe, soon followed.

The misfortunes of Arabella Stuart, and her death, which intervened during these transactions, should doom to infamy this most contemptible reign, and the reptile ministers of the king's power and baseness. Placed near the throne by her birth, but without ambition, she appears never to have aspired to it. Her name was used without her knowledge in the conspiracy of Raleigh and Cobham. She has been described as a person without accomplishments or capacity. Her refusal of the invitation to attend the funeral of queen Elizabeth † prove her not wanting in spirit, and her letters ‡ are decisive evidence of her vivacity and sense. The private contract of marriage between her and William Seymour, grandson of lord Hertford, before the accession of James, has been mentioned. It appears to have been a marriage, not of ambition, but of love, and was privately solemnised in 1609. Upon its being discovered, lady Arabella was committed to the custody of sir Thomas Parry, in his house at Lambeth, and the husband was sent to the Tower. They contrived secret meetings, and planned their escape in June, 1611. Seymour reached the continent; but Arabella, or Arbella, as she appears to have written her name, supposing that her husband was still behind, imprudently loitered, in expectation of being joined by him, was overtaken, brought

* See Carte, iii. b. 21. p. 41.
† Sloane MSS. in Ellis's Orig. Lett. iii. 59. ‡ In Lodge, Illus. iii.

back, and committed a close prisoner to the Tower. Her aunt, the countess of Somerset, in whose family she had been brought up, was fined 10,000*l.* in the star-chamber, for refusing to answer interrogatories, by her answers to which she must have criminated or perjured herself. The unfortunate Arabella, after four years' captivity, and wanting, it has been stated, the necessaries of life, died in the Tower, on the 27th of September 1615, broken down to an idiot by calamity; and "was buried," says Camden, "without pomp, at night, in the same vault with Mary queen of Scots and prince Henry."* How vicious must have been the moral and political organisation of society, when one human creature could exercise over the life and happiness of another this monstrous abuse of power! She made moving applications for her trial or her liberty to the justice of the judges; to the justice and pity of the king: but the judges were among the most iniquitous of mankind, and the king was one whom it would not be easy to characterise without departing from the moderation of history.

* The historian adds the following curious observation: — "It is a saying of Philip the Fair, in Papirius Masso, that those who die the king's prisoners are deservedly deprived of funeral pomp, lest they might be thought imprisoned unjustly."— *Camd. Ann. Jac.* An. 1615.

CHAP. VII.

1617—1622.

GOVERNMENT BY FAVOURITES.—FRANCE.—SPAIN.—ENGLAND.—DE LUINES.—LERMA.—VILLIERS.—THE CAUTIONARY DUTCH TOWNS REDEEMED.—MISSION OF LORD HAY.—ASSASSINATION OF MARSHAL D'ANCRE.—SPANISH MARRIAGE.—GONDEMAR.—RETIREMENT AND DEATH OF ELLESMERE.—BACON KEEPER OF THE GREAT SEAL.—THE KING'S VISIT TO SCOTLAND.—BOOK OF SPORTS.—THE FAMILY OE VILLIERS.—VENAL PATRONAGE.—DEATH OF WINWOOD.—SIR EDWARD COKE AND LADY HATTON.—MARRIAGE OF THEIR DAUGHTER.—NAUNTON.—ANTONIO DE DOMINIS, BISHOP OF SPALATRO.—IMPEACHMENT OF SUFFOLK.—RELEASE, VOYAGE, RETURN, AND EXECUTION OF SIR WALTER RALEIGH.—SYNOD OF DORT.—EXECUTION OF BARNEVELDT.—THE HOUSE OF ORANGE, A COMET.—DEATH OF THE QUEEN.—PROFLIGACIES OF BUCKINGHAM.—DISGRACEFUL CONDUCT OF JAMES.—PROSECUTION OF LADY LAKE.—THE ELECTOR PALATINE CHOSEN KING OF BOHEMIA.—BATTLE OF PRAGUE.—BETHLEM GABOR.—MANSFELDT.—MUTINY OF PARLIAMENT.—ABUSES.—MOMPESSON.—MITCHELL BENNETT.—FIELD.—IMPEACHMENT AND CONVICTION OF THE LORD CHANCELLOR BACON FOR BRIBERY.—INHUMAN PUNISHMENT OF FLOYD.—CASES OF FULLER, WHITLOCK, AND SELDEN.—FOREIGN NEGOTIATIONS.—THE KING'S LETTER TO THE SPEAKER.—PROTEST OF THE COMMONS.—TORN OUT OF THE JOURNALS BY THE KING WITH HIS OWN HAND.—DISSOLUTION OF PARLIAMENT.—IMPRISONMENT AND FORCED MISSIONS OF POPULAR MEMBERS.

It is a coincidence worth notice, that the three great monarchies of Spain, France, and England were now ruled by weak princes, in the hands of worthless favourites. The duke of Lerma had for some time been ruling Spain with absolute sway under Philip III. Louis XIII., in 1617, emancipated himself from the regency of his mother by the atrocious massacre of Concini, but only to submit to an incapable favourite, the duc de Luines. Villiers ruled in England, under the

name of James, with as entire a dominion over the sovereign as either De Luines or Lerma. The three courts were the scenes of discordant intrigue and boundless corruption; in their foreign relations they were degraded and despised. But though Buckingham had all the vices of his brother favourites, England did not suffer at home the decay and misery which government by favourites produced in Spain and France. The administration of a bad prince in England can debase the state in its foreign relations, but cannot strike its malignant power and influence deeply into the soil; first, from the national character, next, from that salutary principle of English government, that the nation shall be taxed only with its consent. Villiers, created a viscount in the preceding, and made earl of Buckingham in the beginning of the present, year, was a still more mischievous depositary of sovereign power than Somerset. But the insolent prodigality of the favourite had its limits, and the criminal folly of the prince met with some retribution in being reduced to indigence.

This unhappy prince's relations with foreign states grew chiefly, if not wholly, out of the necessities to which he was so justly reduced. His communications with the Dutch, since the treaty of 1609, related only to the surrender of the cautionary towns. They made frequent offers of redemption, but far short of the debt contracted to Elizabeth, and acknowledged in the treaty of defensive alliance with James*; and succeeded, at last, by an artifice, which could succeed only with a prince of his character and in his situation. The Dutch, during seven years of peace and independence, had greatly advanced in power and wealth, and James, notwithstanding his wants, required full payment. Barneveldt, who saw the king's position, advised the states to withhold the pay of the English garrisons, in the three cautionary towns, Flushing, Ramiekens, and the Brill, on the pretended ground of want of money. The troops murmured, and threatened a mu-

* Rymer, xvi. 783—787.

tiny. Elizabeth would have paid them out of her own coffers, and compelled the Dutch, at the cannon's mouth, to perform their engagement: James, who had neither money nor energy, nor the confidence of the commons or the people, ended the matter by surrendering the towns to the United Provinces on their own terms. which were 248,000*l.* in full discharge of a debt of 800,000*l.* Those three towns, the keys of the navigation of Holland, were accordingly surrendered.

The regency of Mary of Medicis was distracted by the turbulent ambition of the French princes of the blood, with the prince of Condé, supported by the Huguenots, at their head. James interfered to produce a reconciliation. Lord Hay went over, with a splendid train, to congratulate Louis XIII. on his marriage with the infanta of Spain, called Anne of Austria. This embassy, both in its outset and result, may be regarded as a type of James's court and government. Hay was delayed some time for want of funds. The king raised the necessary supplies by selling a peerage; and his representative was enabled to proceed. His congratulations were well received, but it was soon suspected that he was too familiar with the malecontent princes of the blood, and the prince of Condé was shut up in the Bastile. The ambassador requested to be informed of the charge against the prince, for the information of his master, and received an answer so unsatisfactory, that he came away without opening the commission which he had, to renew the negotiation of a marriage between prince Charles and the princess Christine of France. Eventually the troubles of France were composed by the barbarous massacre of marshal d'Ancre (Concini), who fell by the hands of the baron de Vitry, captain of the king's guards. The noble assassin acted in open day, at the gate of the Louvre, by the king's orders, and within his view!* This memorable atrocity was committed on the 14th of April, 1617, and in the course of that month, sir Thomas Edmonds

* Mem. de Brienne.

was sent, as special envoy, to congratulate his most Christian majesty on his deliverance from thraldom, and compliment M. de Vitry on being the fortunate instrument! Such, in substance, were the instructions of Villiers to sir Thomas Edmonds.* The diplomatic courtesies of courts are falsehoods given and received by convention, and should not be rigoronsly judged. But this special embassy to congratulate the author, and compliment the perpetrator, of so cold-blooded and cowardly a murder exceeds the utmost latitude of its diplomatic falsehood. The envoy, Edmonds, writes to the king on the subject:—"I have found cause fully to be satisfied touching the objection which was made in England about *the violent killing* (!) of the marshal d'Ancre."† It is humiliating to find this sentence written by an English minister: but Edmonds, from his long employment in various foreign missions, had become familiar with intrigue and crime, as resources of government.

Poverty was the universal motive, open or concealed, of almost every act or measure of the king. It was this that made him so earnest in promoting the marriage of his sons. The humblest party in private life could not give more attention to the dowry than the king of England in the negotiations of marriage, before and since the death of prince Henry. It figures as a consideration of due weight in the calculations of that vaunted prince.‡ Disappointed in France, or diverted by the Spanish ambassador, James turned his eyes once more towards Spain. The Spanish minister now in England was the celebrated count Gondemar, one of those men who bring to the management of public business various and versatile endowments, and whom Spain has so frequently produced. With the fancy and humour of his country, he joined a fund of scholarship, which he exhibited or disguised as best suited his purpose of playing upon the pedant vanity of the king; he was said to divide or share the empire of the favourite; and he had the court,

* Birch's Neg., 401. † Ibid. 402.
‡ Birch's Life of Prince Henry, 310, 311.

male and female, in his pay.* Sir John Digby had returned from Spain for the purpose of giving evidence against Somerset. He declined saying more than that his most secret despatches were no sooner arrived in England than their contents were returned to Spain, and was not formally examined. James, actuated by his necessities, and the advice of Gondemar, now sent him back to Madrid, with a proposal of marriage between Charles, recently created prince of Wales, and the infanta.

The chancellor Egerton, worn out with fatigue and years, at last surrendered the great seal into the hands of the king, who not only visited him in his illness, but, if Camden may be relied on, wept at his bed-side.† Bacon, now in the 54th year of his age, reached at last the object of his ambition, and cause of his ruin. It was the object also of his long and eager solicitation, and he rested his claims, with frank baseness, on his readiness, past and future, to perform every service which could be asked by a despot prince of an obsequious satel-

* Wilson has given the following curious account of him: —

"He cast out his baits not only for men; but if he found an Atalanta, whose tongue went nimbler than her feet, he would throw out his golden balls to catch them also. And, in these times, there were some ladies pretending to be wits (as they called them), or had fair nieces or daughters, which drew great resort to their houses; and where company meet, the discourse is commonly of the times, for every man will vent his passion. These ladies he sweetened with presents, that they might allay such as were too sour in their expression; to stop them in the course, if they ran on too fast, and bring them to a gentler pace. He lived at Ely House, in Holborn; his passage to the court was ordinarily through Drury Lane (the Covent Garden being then an inclosed field); and at that lane and the Strand were the places where most of the gentry lived, and the ladies, as he went, knowing his times, would not be wanting to appear in their balconies or windows, to present him their civilities, and he would watch for it; and as he was carried in his litter, he would strain himself as much as an old man could to the humblest posture of respect. One day, passing by lady Jacob's house in Drury Lane, she exposing herself for a salutation, he was not wanting to her; but she moved nothing but her mouth, gaping wide open upon him. He wondered at the lady's incivility, but thought it might be happily a yawning fit took her at the time: for trial whereof, the next day he finds her in the same place, and his courtesies were again accosted with no better expressions than an extended mouth. Whereupon he sent a gentleman to her, to let her know, 'that the ladies of England were more gracious to him than to encounter his respects with such affronts.' She answered, 'It was true, that he had purchased some of their favours at a dear rate, *and she had a mouth to be stopped as well as others.*' Gondemar, finding the cause of the emotion of her mouth, sent her a present as an antidote, which cured her of that distemper." — *Wilson, apud Kennet*, ii. 726.

† Ann. Jac. Anno 1617. Egerton died in a few days after his resignation. Id. ibid.

lite.* The vain philospher made his first appearance as lord keeper at Westminster Hall, with a splendid escort of lords, judges, lawyers, students, officers, and servants; "himself," says Camden, "on horseback, in a gown of purple satin, between the lord treasurer and the lord privy seal." † He was enabled to indulge, without restraint, his love of pomp and state, by the king's departure, with his court, for Scotland.

James had resolved, in the beginning of the year, to proceed to Scotland, and communicated his intention to the privy council on the 4th of February. Buckingham, who had been admitted to the council that day, for the first time, over-ruled his purpose; "whereupon," says Camden, "the king was angry, but was soon pacified ‡:" thus undisguised and absolute was the control exerted over him by the favourite. His wish, however, was soon indulged; and he set out, two months later, with Buckingham and the chief followers of his court. James's leading object in this visit, and one of the great objects of his life, was to impose English episcopacy upon the Scotch, and the union upon both nations. On reaching the boundary line of the two kingdoms, he alighted from his horse; stretched himself on the ground, one half of him in Scotland, the other in England; and exclaimed, "For my person even here is the union." He had already sent certain articles, of which he recommended the introduction among the canons or regulations of the Scotch presbytery. They related to the communion, baptism, confirmation, and festivals. Arrived at Edinburgh, he received the communion kneeling; but his example was followed only by the bishops present, and by his orthodox or obsequious courtiers. The ministers of the Scotch church protested against his canons; but, after some time, were brought to a more complying temper, by the king's ordering the privy council to suspend the payment of their stipends.

The king, on his return through Lancashire, ob-

* Letters to the King, vol. v. passim.
† Camd. ut suprà. ‡ Camd. Ann. Jac. 1617.

served that the growth of popery there was more than commonly luxuriant. Meditating on the cause, he discovered it in the austerity with which the puritans enforced the observance of the Sabbath, whilst the Romish priests allowed the people to indulge themselves in harmless pastimes. Petitions, either emanating spontaneously, or got up for the purpose, were presented to him. The petitioners complained that the sabbatarian strictness of the puritans debarred them from all manly exercises and harmless recreations; made men resort to alehouses, where "they censured in their cups his majesty's proceedings in church and state;" and especially favoured the growth of popery.* The complaint of the petitioners was certainly well founded. Accustomed festivals were turned into days of labour; the sabbath was enjoined as a day of religious maceration; conceited and meddling justices of the peace lent their authority; and the labouring poor were cut off from all relaxation or amusement. It was the misfortune of James, that he combined the vice of indolence with the opposite failing of perverse activity. When affairs of state required his presence in council, he left all to his ministers or his minions, and indulged himself in wallowing ease at Theobalds †; whilst he presumptuously intruded his power where his interference must be either degrading or mischievous. On his arrival in London, he ordained and promulgated a minute code of lawful sports and pastimes for the people, on festival and sabbath days. The severities of the puritan ministers and meddling justices were vexatious and mischievous; but the mischief of the king's Book of Sports proved far more serious. He enforced the observance of his Book of Sports by proclamation ‡, and directed the bishops to cause the reading of it in the churches of their respective dioceses. The sensation produced by the order to read this proclamation in churches, was far more violent and popu-

* Carte, iv. b. 21. p. 44.
† Ambassades de la Boderie, passim.
‡ Somers' Tracts, ii. 56.

lar than in the case of his grandson's declaration of indulgence. But the bishops were now not only obedient, but actively consenting parties, and there was yet no organised resistance to prerogative. The king's lawful sports of leaping, vaulting, archery, May games, and morris dances, were called debauched exercises*; and "conscientious ministers," according to Wilson, "were terror-struck at so frightful an apparition as the dancing-book."† The "debauched exercises" in the king's Book of Sports were associated with the really scandalous debaucheries of the court.

"Except during the sessions of parliament," says Hume, "the history of this reign may more properly be called the history of the court than that of the nation." He might have added, that history has seldom been condemned to a more unworthy subject-matter. The history of the court becomes henceforth that of Buckingham. He returned from Scotland with pretensions still more insolent and extravagant. When raising Bacon to the seals, he reminded the new lord keeper of his perfidy to Essex, and coupled his favour with a contemptuous menace. Bacon accepted the one and submitted to the other with all possible humility; but no sooner was he installed, the king and court being absent, than he bore himself in a manner so proud and pompous, as to be at once offensive and ridiculous.‡ He occupied the king's apartments, and gave audience in the banqueting-room, with the ceremonial pomp of a sovereign. Secretary Winwood left his presence in disgust; declared he would not transact business with him before the king's return; and wrote off an account of his conduct, which excited the mirth of the king, the favourite, and the court. But upon the first notice of the coming of his masters, he shrank into himself. Upon the arrival of the court at Windsor,

* It was a special article of his majesty's code, that "women should have leave to carry rushes to the church, for the decorating of it, according to their 'old custom.'"

† Archbishop Abbot, who affected puritanism, condemned it.

‡ Weldon, 122, &c.

he had to wait two days in a servant's room, among the domestics of the palace, sitting upon an old wooden chest with the great seal beside him, before he was admitted to the presence of the favourite; and he was subjected to this disgrace by Buckingham's special order.* It is strange, almost to a prodigy, that weakness so base should cohabit with genius so elevated.

Buckingham now summoned from the country his whole kindred, male and female; had them properly dressed and drilled for the court; quartered them upon Whitehall and the adjoining houses; and made their fortunes by places, pensions, and marriages. In corrupt rapacity he exceeded Somerset. He appointed persons without fortunes to high places, as more entirely dependent on him; but he made them pay for their advancement, by instalment, out of their salaries. "There were," says Weldon, "books of rates on all the offices, bishoprics, and deaneries in England†;" so that the candidate might ascertain beforehand the price to be paid, by a fine if he were rich, by a pension if he were poor. It may be right, perhaps, to mention here, that sir Anthony Weldon has been accused of malice and exaggeration in his picture of this court, and charged with a disposition to blacken the characters of his cotemporaries. But it may be said in reply, that, living at court, he had the best opportunities of being informed; and it may be asked, which of those characters has whitened by exposure to the light and air of two centuries?

Of the marriages by which Buckingham advanced or provided for his family, one only is worth mention; that of his elder brother, whom he had made viscount Purbeck, to the daughter of sir Edward Coke. The chief justice, proud and presumptuous as the favourite himself, had refused his daughter, with disdain, to the brother of Buckingham, when the latter had but commenced his career. Winwood, to be revenged on Bacon, proposed to Coke, who was his friend, or at least with whom he had common interests, to obtain his restoration

* Weldon, 122, &c. † Id. 120.

to favour, and the means of wounding their common enemy, by now consenting to the marriage. Coke, who loved business, and perhaps still more the position of a courtier, in which he could insult the weak whilst he crouched to the powerful—eager, moreover, to escape the troubles of his domestic hearth—charged Winwood with his consent to the marriage, and the contract was prepared. But there were two persons interested, whose consent was not asked,—lady Hatton the wife of Coke, and their daughter. The former seldom agreed in any thing with her husband; the latter had already made another choice for herself; and they fled together. Coke, having learned where his wife and daughter had concealed themselves, proceeded to the house of sir Edward Withepole, and brought his daughter — and her only — away by force. Lady Hatton immediately proceeded against her husband in the star-chamber for this violence, at the supposed instigation of Bacon; and the court of star-chamber would have left on its records one cause which would have only an amusing interest for posterity, if lady Compton, the mother of Buckingham, and now a widow for the second time, had not composed the quarrel by soothing lady Hatton.

The marriage was solemnised, but the restoration of Coke to favour was equivocal. He merely resumed his place at the council table, without office. His chief antagonist was his wife: she published a libel against him; was confined, and proceeded against in the star-chamber; obtained her release from captivity and prosecution, by making a liberal settlement, out of her great wealth, on her daughter; and gave a grand entertainment on the occasion, to the king and court — her husband being expressly forbidden the house for that day. One inauspicious marriage was now added to another in the family group. Lady Hatton, whom Coke had married for her wealth, saw nothing in the chief justice but a pettifogging pedant, and treated him accordingly with sovereign contempt. Their daughter, married against her inclination, avenged herself

amply upon her husband, and succeeded in having him confined as a lunatic.*

Among the events of this year may be noticed the death of sir Ralph Winwood. He had passed the greater part of his life in the diplomatic service; became secretary of state in 1614, through the favour of Somerset, was one of the chief agents in his ruin, and is chiefly known to posterity by the collection of valuable state papers which bears his name. Winwood was succeeded in his office by sir Robert Naunton, author of the *Fragmenta Regalia.*

The arrival of Antonio de Dominis, archbishop of Spalatro, this year, in England, may also receive a passing mention, for the sensation which it created at the time. Upon a quarrel with the pope, Paul V., against whom he made common cause with the Venetians, he renounced popery, left Italy for the United Provinces, disliked Calvinism or received no encouragement from the Dutch, and came over to England; where he was received by the people with admiration, by the king with honour — being made master of the Savoy, and dean of Windsor. After he had been some time in England, the Spanish ambassador — in good faith, according to some; as a device, to prove the insincerity of his conversion in the eyes of king James, according to others—offered to negotiate his reconciliation to the church of Rome, then governed by Gregory XV., with the further prospect of being made a cardinal. He readily left England; returned to Rome and to popery; died, notwithstanding, in the prison of the inquisition; and suffered the sentence of an obstinate heretic, in the burning of his remains and scattering of his ashes to the wind.† The catholics loaded him with

* Weldon, 127. It would appear from a letter of lady Purbeck to Buckingham, that the favourite not only shut up his brother, but took charge of his fortune, or rather his wife's, and left her dependent upon her mother. — *Cabala*, 318.

† He was well received by Gregory XV., who had been his fellow student. The author of his imprisonment was the next pope, Urban VIII. Foreigners, however liberally treated in England, were soon disgusted. Isaac Casaubon, who had a prebend and 300*l.* a year from king James, writes to a friend, "Ego mores Anglorum non cupio, . . . nemo illorum me vel verbulo appellat — appellatus silet." — *Casauboni Epistolæ*, 506, folio.

calumnies; the protestants in England, in their blind hatred of popery, exalted his learning, virtue, and piety to the skies. He was, like most of the Italian prelates, a man of capacity and ambition, loose opinions and no piety. He wrote a work, *De Republica Ecclesiastica*, said to be able and learned. It was no mean title to respect, to have been the friend of the illustrious Fra Paolo. His main object in coming to England is said to have been the publication of the works of Paolo, and his own, beyond the censorship of the church of Rome.

Villiers each year advanced himself a step in the peerage. He was created marquess of Buckingham in January, 1618. Bacon, who hitherto held the seals as lord keeper, was now declared chancellor of England, and in the course of the year created viscount St. Alban's. The favourite, proceeding in his system — if system he pursued — of centralising all power and patronage in himself, resolved to remove from office and the court all but his abject dependents. The rank and name, rather than the virtue, of the Howards stood in his way. He began with the disgrace and ruin of the lord treasurer Suffolk. That high officer was accused of various malversations and embezzlements, especially with reference to the ransom of the cautionary towns; deprived of his office; fined by the court of star-chamber 30,000*l.*, and imprisoned in the Tower. The countess of Suffolk was notorious for extortion in the business of his office, for the corrupt sale of patronage, temporal and spiritual, and for most other profligacies of the court and of the time; but the earl himself was regarded as substantially innocent — the victim of a rapacious and intolerant favourite. The man, however, who was the father-in-law and adviser of Somerset, could scarcely have been free of malversation, in a court where malversation was not an exception, but the rule. He pleaded his inability to pay so large a fine, upon which a commission, with the archbishop of Canterbury at its head, was appointed to enquire into his estate. To evade this enquiry he conveyed a considerable portion

1618.

of his property to his son-in-law lord Salisbury, and his brother. The fine, however, was reduced from 30,000*l.* to 7000*l.**; and both the earl, and the countess, who was prosecuted and committed with him to the Tower, were released.

The current of base passions and misdeeds, which must be called history, in this reign, was now broken by the execution of sir Walter Raleigh; if, indeed, that be an exception. Raleigh, after thirteen years' imprisonment under sentence of death in the Tower, was released towards the close of 1516. He obtained his liberty through the medium of Winwood, with the aid of a bribe to the brother of Buckingham, and by promising to make king James richer in gold mines than the king of Spain. James obtained from him, before his release, a written statement, under his hand, of his whole design; promising, upon the word of a king, to keep it secret.† Raleigh's estate, worth 7000*l.* a year, and all acquired by him, either as a courtier or an adventurer, by unscrupulous arts, passed by forfeiture to the favourite Carr‡, and again by forfeiture to Digby, afterwards lord Bristol. He had published, it has been already observed, on his return from one of his voyages, an account of Guiana, little less extravagant than the descriptions of Eldorado in a celebrated philosophical romance of the last century.§ Actuated by his poverty, his spirit of adventure, and his love of wealth; and, above all, by his desire of freedom, he obtained a commis-

* This fine was begged and obtained by the Scotch favourite, Ramsey. The odious practice of begging actual and expected forfeitures was common among lords and princes in England and France. The prince of Condé and the duc d'Epernon (see Winwood's Memorials), begged the spoil of a Parisian tailor accused of witchcraft; and prince Henry did not scruple to subsist (see Birch's Life, &c.) upon the fines and forfeitures of recusant papists. It was not his fault or his merit that the plan was not carried into effect.

† See Somers' Tracts, ii. 456.

‡ He had made a conveyance of his estate to his eldest son, with a presentiment, which was natural, that he might become attainted as a traitor or a felon; but a technical flaw was detected in it some years after his trial. The letter to Somerset, in which he deprecated the grasp of the favourite, is eloquent; but Somerset proved himself as inexorable as Raleigh, under the circumstances, would have proved himself. His wife and children begged justice on their knees from the king, and his sacred majesty replied, in language quite worthy of him, "I mun ha' the land — I mun ha' it for Carr."

§ Candide.

sion to make a second voyage to Guiana, for the purpose of emptying into the king's exchequer the treasures of a gold mine, the secret of which was known only to him. He accordingly sailed from Portsmouth with a squadron of thirteen sail of small vessels, well armed and equipped. Gondemar, the Spanish ambassador, was naturally alarmed at these preparations; but the king gave him assurance that Raleigh was forbidden, by his instructions, the exercise of any right of conquest or invasion upon the Spaniards. The love of peace, and the hopes of a Spanish marriage with a large dowry, rendered James so anxious to avoid offence to Spain, that nothing but his eager cupidity and pressing wants induced him to sanction Raleigh's expedition; and the identical paper above mentioned, for the secrecy of which Raleigh had "the word of a king," was found by the adventurers in the cabinet of the Spanish governor of St. Thomas's, Gondemar's brother.*

Raleigh sailed from Portsmouth in April, 1617, but, from bad weather and hurricanes, did not reach Trinidad until the middle of November. Captain Keymis, who had served under him in his former voyage, and brought home, as he said, a lump of the golden ore of Guiana, was despatched by him with five ships, and as many companies of soldiers, up the Oronoco to explore the mine. The shallowness of the water compelled Keymis and his party to quit their boats, and proceed by land. The Spaniards, who had notice of their arrival, and had reinforced the small town of St. Thomas's, attacked the English on their march, but were routed, and pursued to St. Thomas's, which was stormed on the 2d of January by the English. The Spanish governor on the one side, and Raleigh's eldest son on the other, were killed; the town of St. Thomas's was pillaged and set on fire; and Keymis, abandoning the mine, returned to the station where Raleigh was at anchor with the rest of the fleet. The communication of the paper above mentioned to Gondemar, has been

* Somers' Tracts, ii. 458.

charged upon the king.* There is a probability, at least equal, of its having been communicated by others; the English court was filled with pensioners of Spain, including the queen herself, ever since the mission of Velasco constable of Castile.† But Raleigh, on his part, had practised a gross suppression of truth upon the king: he represented Guiana as peopled only with "heathen savages;" and concealed from him, to use his own words, "that the Spaniards had any footing there."

Raleigh's son, it has been said—but whether truly said is doubtful—in leading to the attack of St. Thomas's, cried to his companions, "This is the true mine we are come for, and none but fools would look for any other!"‡ Keymis excused his return, by the difficulty of the route through mountains to the mine, the desertion of his guide on the death of young Raleigh, and the annoyance they should experience from the Spaniards. Raleigh reproached him with so much bitterness, that he went below, shot himself with a pistol, and, not dying at once, stabbed himself to the heart. The unfortunate commander, disappointed in his hopes—weakened by disease in his crew, his soldiers, and his person—set out for Europe; was soon abandoned by some of his ships; and arrived the prisoner rather than the commander of his remaining mutinous crew, first at Kinsale, and thence at Plymouth, where he arrived at the close of July. Upon the arrival of intelligence of the burning of St. Thomas's, the conduct of Raleigh had been disavowed and denounced by proclamation; and he was arrested on his landing, by his kinsman, sir Lewis Stukely, vice-admiral of Devon. His sagacity and decision seem to have now, or perhaps earlier, abandoned him. After hesitating whether to proceed to France, which, before his arrest, he had the means of doing, he decided upon landing; but, arriving in custody at Salisbury, rubbed his body with blistering ointments provided for him by

* See Hard. State Papers, i. 398.

† Win. Mem. ii. and iii, and Lettres de Henri IV., Villeroy et La Puisaye, à M. de la Boderie, passim. See note, 272. ante.

‡ See account of the proceedings, Som. Tr. v. 438.

a French quack who attended and betrayed him, and personated madness by going on all fours, gnawing the rushes with which floors were then strewed. This personation of insanity and disease not only frightened away the privy councillors from examining him, but obtained him the king's grace to be committed to his own house, not to the Tower. He took advantage of it to concert his escape to France. Desmarests, the French ambassador, had private interviews with him before his departure; and Leclerc, now charged with the business of the embassy in his absence*, offered him the means of escape. His chief reliance was upon his kinsman Stukely, whom he bribed to assist and accompany him in his flight. They proceeded down the river, to embark at Gravesend for France; the party consisting of Raleigh, captain King, whose vessel awaited them, Stukely, and his son. A wherry, which seemed to watch their boat, excited suspicion: they landed at Greenwich; and he was immediately arrested under the direction of the treacherous Stukely, who accompanied only to betray him. On the 9th of August†, he was once more lodged in the Tower.

Raleigh, after several examinations in the Tower, was brought up to the King's Bench on the 28th of October, and the attorney-general, Yelverton, prayed execution of his sentence as a traitor, pronounced fifteen years before. He pleaded his commission, which gave him power of life and death as marshal, with the epithets *dilecto et fideli*, as a pardon by implication; and Bacon had, in point of fact, before Raleigh sailed, pronounced it equivalent to a pardon under the

* Desmarests had gone away in disgust, because he was not, whilst the Spanish ambassador was, invited to the prince of Wales's ball. The French and Spanish ambassadors could not agree about precedence; and full half the correspondence of Henry IV. and his secretary Villeroy with La Boderie is occupied with dancing and the queen's balls. Henry, according to Villeroy, said to the English ambassador, on one of these occasions, when favour was shown to the Spaniard, "Que si c'étoit la reyne qui en étoit cause, il lui sembloit ne mériter d'elle cette défaveur, étant plus capable d'honorer et servir les dames que son compétiteur (Philip III.), et plus soldat aussi."—*Lettres à M. de la Boderie*, i. 233.

† Camd. Ann. Jac. 1618. Men. Aug.

great seal.* Montague †, the chief justice, said that a pardon for treason must be express, not implied. The warrant for his execution was given; and Bacon, with his usual meanness, appears to have acquiesced. By special favour in the warrant, the execution was changed to beheading. He died next day with remarkable composure, it might be called alacrity, in the sixty-sixth year of his age, on a scaffold erected in Palace Yard. In his speech on the scaffold, from notes which he held in his hand, he denied several imputations upon him in reference to his conduct since his release; and vindicated himself with earnestness from the imputations upon him as a witness of the death of Essex. But he made no allusion to the crime of treason, for which he was to die,—no slight presumption that he was engaged in corruptly, if not traitorously, criminal intrigues with the archduke's ambassador, D'Aremberg. He called for the axe, felt its edge, pronounced it "a sharp medicine, but a sure one for all ills;" and, upon some hesitation or delay on the part of the executioner, called to him, "Strike, man, strike!"

The execution of Raleigh's sentence, after an implied pardon, and the lapse of fifteen years, out of complaisance to a foreign and hated power ‡, produced indignant compassion for his fate, and admiration of his character. Both his capacity and character have been extolled beyond measure. Whilst confined in the Tower, he applied himself to writing a history of the world. Such a project, in his situation, proves his gigantic ambition, or presumption, rather than judgment or genius. The tenant of a state prison may produce, like Tasso, a sublime and perfect work of imagination; but Raleigh, who had to depend mainly for his materials upon the supply and discernment of others, produced a disorderly fraction of a vast work of research: it was

* Somers'. Tracts. ii. 459.

† Not sir Edward Coke, as it appears in the State Trials.

‡ It has been stated frequently, that Gondemar, to avenge the death of his brother, personally urged the execution of Raleigh; but that minister had left England (Camd. Ann. Jac.) before Raleigh's return.

published in 1614. The public, according to some, marvelled at his knowledge of facts, dates, and geography; whilst, according to others, he was so disappointed by the reception of the first part, as to throw the second in manuscript into the fire. He is said to have prosecuted experiments in medical chemistry with great diligence and success whilst in the Tower, and to have prepared a drug which saved the life of the queen. Being applied to in the illness of prince Henry, he sent a compound which he pledged himself would cure the prince of any fever — in the absence of poison.* It is obvious that such an assurance, if given, would convict him of either the ignorance or the impudence of a downright empiric; and the suggestion of poison, under the circumstances, affords a presumption of innate malice, or some secret and wicked end. The versatility of his pursuits, and variety of his accomplishments, seem to have passed for genius. His character has been overrated: he was ambitious and adventurous, but unprincipled and atrocious. He was actuated in his enterprises by the thirst of wealth rather than of glory. In his voyages to the West Indies, he manifested not only the lawless cupidity, but the barbarity, of a pirate†; and, in the deplorable annals of Elizabeth's wars of Ireland, his name and footsteps may be traced in blood.

James was ever proclaiming himself above all human censure, and as constantly descending to vindicate his acts with less than the dignity of a petty magistrate. He published in his name a justification of "his proceedings towards sir Walter Raleigh," beginning with the first article of faith in the divine grace of despotism, — "Although kings be not bound to give account of their actions to any but God alone." The declaration of

* The grave whig, Dr. Welwood, (in a few of whose pages there is more falsehood than in all that remains of Weldon, Osborne, and Peyton,) in his notes on Wilson's "Reign of King James," reckons the sending of this nostrum among the circumstances which insured Raleigh's destruction.

† See his own account of his first voyage to Guiana. "To depart," says he, "400 or 500 miles from my ships, and to leave a garrison in my back, interested in the same enterprise, which daily expected supplies from Spain, *I should have savoured very much of an ass.*" He accordingly surprised and massacred the feeble garrison in cold blood.

"his majesty's reasons," though not deserving of implicit credit, is yet so borne out by facts and circumstances, as to leave in the mind of an unbiassed reader little or no room to doubt that Raleigh, who obtained his commission by fraud and falsehood; and under whose orders, though not under his immediate eye, the possessions of a friendly power were invaded, pillaged, and burned; might have been convicted and executed as a pirate without breach of law or justice.* But, the commission once given, his life was sacred as to his precedent judgment. The end of his treacherous kinsman, Stukely, was fearfully retributive. Convicted of "clipping the king's coin" in the king's palace, where his services had procured him apartments, he was forced to disgorge all his ill-gotten wealth as the price of his pardon; and died, in the isle of Lundy, a wandering and distracted beggar.†

Some petty squabbles between Dutch and English traders were composed towards the close of this year: they related chiefly to the Greenland fisheries and the East India trade. The adventurers of both nations, in their eager and adverse strife for gain, committed mutual outrages, to the destruction of life and property. A deputation from the Hollanders came over in the summer

* There is reason to suspect that Raleigh's return to England was forced by his crew: it was suspected, when he went out, that, had he been successful, he would have taken refuge with his booty in France, and had made his arrangements with the French ambassador, Desmarests. Howell, in his letters, tells the following "facetious tale," as applicable to Raleigh and king James:—

"This return of sir Walter Raleigh from Guiana puts me in mind of a facetious tale I read lately in Italian (for I have a little of that language already), how Alphonso king of Naples sent a Moor, who had been his captive a long time, to Barbary, with a considerable sum of money, to buy horses, and return by such a time. Now, there was about the king a kind of buffoon or jester, who had a table-book, or journal, wherein he was used to register any absurdity, or impertinence, or merry passage that happened upon the court. That day the Moor was despatched for Barbary, the said jester waiting upon the king at supper, the king called for his journal, and asked what he had observed that day: thereupon he produced his table-book; and, among other things, he read how Alphonso king of Naples had sent Beltram the Moor, who had been a long time his prisoner, to Morocco (his own country), with so many thousand crowns, to buy horses. The king asked him why he inserted that. 'Because,' said he, 'I think he will never come back to be a prisoner again, and so you have lost both man and money.'—'But if he do come, then your jest is marred,' quoth the king.—'No, sir; for if he return, I will blot out your name, and put him in for a fool.'"

† Somers' Tracts, ii. 457.

submitted the Greenland fishery dispute to the king's equity, and arranged the interests between the rival East India companies by treaty.

King James, at the same time, was invited to take a part in the religious disputes which then raged in the United Provinces. In this congenial field of controversy he conducted himself with unusual moderation. The dispute in Holland was called, in the jargon of schoolmen, the quinquarticular controversy. The parties were called Arminians and Gomarists. The main question was, whether faith saved as faith, or as faith accompanied with works. The latter opinion was maintained by the Arminians, after their immediate leader and the mild Melancthon; whilst the Gomarists espoused the severer tenets of Calvin. Peace, since 1609, allowed the ignorant multitude to meddle with those scholastic subtleties; their zeal was inflamed by fanatical ministers; and prince Maurice, who had, in the beginning of this year, become stadtholder by the death of his elder brother, aspired to supreme and usurped dominion over the United Provinces by means of the preachers and of the populace. It is asserted by De Maurier, in his Memoirs, on the authority of his father, who was ambassador to the states at the time, that prince Maurice endeavoured to persuade Barneveldt to favour his designs. That celebrated patriot and statesman, whether from an express overture thus made to him, or from his own sagacity, saw the danger which threatened his country from the usurping ambition of the prince, and placed himself at the head of the Arminians in defence of the public liberties. Grotius engaged zealously in the same party and cause. Maurice, invested, on becoming stadtholder, with the command, military and naval, of the forces of the republic, took by surprise Utrecht, the cradle of Dutch liberty, with other towns, under the pretence of disbanding a burgher guard, which those towns had raised, at their own cost, for the defence of their privileges; seized Barneveldt and Grotius; found no longer any resistance in Holland or West Friesland; and went

through the chief towns, dismissing the municipal officers and pastors of the churches, to make way for persons of his choice. The usurper had now two leading objects, —to establish the ascendancy of his party, and to shed the blood of Barneveldt, whose life he thought incompatible with the security of his usurpation. For the former purpose he convoked the national council, called the synod of Dort. He had already deprived, silenced, or driven by terror out of the country, the Arminian clergy, and the council was composed only of his partisans. Foreign reformed churches were invited to send deputies, but the invitations were restricted to the Calvinist churches. The prince, remembering the zeal of James against Vorstius, invited him to send representatives; and he accordingly sent five divines, who, in the beginning of November, arrived at Dort.* James had discovered his mistake in the affair of Vorstius, in which he perhaps was led, by the Calvinist archbishop Abbot, to support the tenets of the English puritans, whom he abhorred. He found Arminianism more congenial to his cherished episcopacy; and, with singular moderation, said "both sides of the question were compatible with Christian unity."† The Gomarists, who alone constituted the tribunal, and admitted Arminians to appear only as culprits, soon quarrelled among themselves, and tore each other over their defenceless prey. The synod was protracted to the following month of May, and the English divines came away in disgust.

This reformed synod treated the Arminians, protestants like themselves, with as much rigour and injustice as had ever been employed against heretics, by any of the papal councils down to that of Trent. More than a hundred Arminian pastors were expelled from their churches and their country.

The prince of Orange had still to seal his usurpation with the blood of Barneveldt. That illustrious patriot, in the seventy-third year of his age, after

* The divines sent were, Carlton, bishop of Landaff; Hall, dean of Worcester; Davenant, master of Queen's Coll., Ward, of Sid. Coll. Camb.; and Balcanqual, a Scotch episcopalian.

† Carte, 454.

having served his country during forty-three years with the rarest capacity, virtue, and success, perished on the scaffold, after the mockery of a trial. His judges were commissioners selected by his enemy and murderer, the prince of Orange. It was the execution of Egmont and Horn, in a similar manner, by the duke of Alva, that first roused the spirit of resistance to the yoke of Spain. The charge against Barneveldt was, that he laboured to restore the sovereignty of Spain; and his sentence declared "that he had afflicted the church of God!"

Liberty in a republic has two enemies—an aspiring chief, and a besotted populace. The Dutch, with their growing strength, manifested a fatal indifference to the ambition of the house of Nassau. De Witt, indeed, checked it for a time; but it was too late, and he, like Barneveldt, fell a victim to the rabble faction of the house of Orange. Something like the ostracism of Athens is necessary to the freedom of a republic. The first Romans, worthy of the name, obliged him surnamed the Worshipper of the people*, and one of the founders of their liberty, to humble his house to the level of his fellow-citizens. The wise Americans, jealous of their infant liberty, took umbrage at Washington's opening his drawing-room, on fixed evenings, to visiters and his friends. This danger to freedom does not exist in a limited monarchy, for there the sovereign power is appropriated and fixed.

It is too well known to be related how Grotius was rescued from the cruelty of the prince of Orange, and the fate of Barneveldt, by the ingenious affection of his wife.

A comet appeared during twenty-eight days in 1618—19. This portentous phenomenon excited speculation and terror in an age when witches were drowned by the people, or burned by the judges†; and the lords spiritual, with their temporal brethren and the commons, made a law, subjecting, for the first offence, to prison and the 1619.

* Valerius Publicola.
† See the case of Mary Smith, State Trials, ii. 1050.

pillory, for the second, to death, all persons who should consult, covenant with, entertain, or feed any evil or wicked spirit.* Terror was allayed, and speculation set at rest, by the death of the queen at Hampton Court, of dropsy, on the 2d of March. The character of this princess has been variously described. She is represented by Carte, on the authority of the unpublished despatches of the French ambassador Beaumont, as proud, vain, obstinate, turbulent, ambitious of power, incapable of governing or of being governed.† Beaumont, however, was piqued by the favour which she showed the Spanish ambassador at her balls. The chief sins ascribed to her in England were gallantry and popery; but how truly is, in both cases, doubtful, and hardly worth enquiry. It seems quite certain that she regarded her husband with contempt and aversion, and that these feelings were almost coeval with their marriage. Her celebrated countryman, Tycho Brahe, who had the infirmity of combining the belief in astrology with the true science of the stars, comforted her, very early after her marriage, with the prediction that her sovereign lord would be king of England before his fortieth, lose his wits in his forty-third, year, and die in prison; and other astrologers flattered her by corroborating this delusion.‡ The king has been described as taking the queen's death so much to heart, that he was seriously ill on his way from Newmarket to Royston, "his stomach being disordered by *grief*."§ He, however, after some time, completely recovered; obliged all his court to receive the communion together — first to test their protestantism, next to beget in their souls mutual charity; and entered London with great pomp on the 1st of June, amid the rejoicings of the lord mayor, aldermen, and citizens, for his restoration to health.

Buckingham meanwhile pursued his career of vanity, ambition, and corruption. It is recorded of the favourite,

* 2 Jac. I.
† Dépêches de M. de Beaumont, Carte, iii. 747, 748.
‡ Carte, iii. b. 21. p. 748. § Id. ibid.

among the instances of his extravagance and insolence, that he was the first person carried in a sedan-chair, and that the people scoffed and hooted in the streets at this debasement of men to beasts of burthen. The lord high admiral Nottingham, who, in that capacity, as lord Howard of Effingham, had defeated the armada, was now past eighty years of age. Buckingham stripped this venerable wreck of the age and glory of Elizabeth, of the mantle which he had worn so long, to put it on himself. He at the same time invested himself with the authority of lord warden of the Cinque Ports *, and had thus the whole charge of the naval defence and power of the kingdom. He had married the daughter of the earl of Rutland,—a rich heiress, but a catholic, who, however, was converted, whether by White or Williams seems doubtful; and the conversion was so transient, that it could do little credit to either. The mother of Buckingham, created a countess in her own right, was a professed catholic, and persuaded her daughter-in-law to relapse to popery. The countess of Buckingham seems to have been to her son what the countess of Suffolk was to her son-in-law Somerset. She was the general medium and manager in his corrupt sales of court patronage. The first step towards the favourite was to gain the mother. Gondemar, in reference to her influence and religion, pleasantly observed, in one of his despatches, that he had at last great hopes of seeing the English reconciled to the holy church, "for they now made more offerings to the mother than to the son." Buckingham, indeed, seems to have left the management in detail of his system of bribery and extortion, to his mother, his other dependent kindred, and his parasites, in order to abandon himself to his vanities and pleasures. Instances of the dissoluteness of Buckingham and the court would but stain these pages. It appeared that he compromised the reputation of his wife before their marriage, and

* Coke's Detection, i. 99.

espoused her at the point of her father's sword.* The familiar letters between him and James, — some published, with a strange want of decency, by a Scotch peer, others in manuscript, — bear disgraceful testimony to the king's participation in the intrigues, not of gallantry, but of debauchery, of his minion.† Two instances are related by sir Edward Peyton, in which, to his knowledge, this unhappy king would affect to distinguish his favoured subjects in accepting their hospitality, in order to abuse it, by giving Buckingham the opportunity of dishonouring their daughters. Peyton states, that he assisted in conveying away one intended victim through a window. To this scandalous minion, about this very time, did king James dedicate "Meditations on the Lord's Prayer." Associations of this kind should not be made, if such direct contrasts were not necessary to express, in faithful relief, the characters of the personages and of the time.

The disgrace of secretary Lake comes in appropriately here. It originated in one of the profligacies of the court. Rous, the son of the earl of Exeter, married the daughter of Lake; went over after some time to Calais, whence he scandalised his wife; challenged her brother; and proceeded to Rome, where he became, if he was not already, a catholic. His wife and her mother accused him in return of a criminal intimacy with the surviving second wife of his grandfather, — a young and handsome dowager of unblemished character ‡, who proceeded against them for defamation in the star-chamber. James, with his usual conceit of

* Wilson, on Kennet, ii. 728.

† Welwood, who had read some of those letters in MS., describes them, in one of his notes on Wilson, as so grossly indecent as to shame the most hardened in vice and impudence. "Dear dad and gossip," are designations of his sacred majesty. For "Your majesty" was sometimes substituted "Your sowship," in reference to a gross farce prepared by Buckingham, his mother, and a young man of his family, to enliven his majesty's spirits in a fit of melancholy. They presented themselves at his bedside, the mother bearing in her arms, wrapped in a rich mantle, a sucking pig, which the young man, dressed as a bishop, was to baptise, whilst Buckingham was present to attend as sponsor. The pig discovered itself, and interrupted the profane buffoonery, by squeaking. — *Wilson, in Kennet, Gen. Hist.* ii. 760.

‡ Carte, iv. 48.

infallible wisdom, but with more than usual success, examined both parties privately and separately, and suspected the veracity of the mother and daughter. They further charged the countess of Exeter with attempting to poison them, and produced a written confession of her guilt. The paper bore a resemblance to her acknowledged handwriting; and was written by her, they said, at Wimbledon, lord Exeter's house, in the presence of themselves, lord Rous, and Diego his Spanish servant. James despatched a messenger to Rome; who returned with the declaration of lord Rous and Diego, on the sacrament, that no such confession had been made in their presence. To rebut this, they produced their chambermaid, who swore that she witnessed the scene from behind the curtain of a specified window. James proceeded with a detachment of his courtiers to Wimbledon; and ascertained, by experiment, that the chambermaid's statement could not be true. Lake appeared as a party in the cause, against the earnest wish of the king, who believed him, as he was, in fact, innocent. "I cannot refuse," said he, "to be a husband and a father." * Lady Rous confessed the forgery and calumny, and was pardoned; whilst her father and mother were fined 10,000*l.*, and committed to the Tower during pleasure: the chambermaid, notwithstanding her confession, was condemned to do penance, and be whipped through the streets. Lake and his wife were released from the Tower; and the husband restored to the king's favour, but not to his offices. Sir George Calvert, an expert man of business, and a reputed papist, was appointed to succeed him.

A parliament and a war were among king James's antipathies. The marriage of his daughter to the palsgrave, or elector palatine, had obliged him to call and meet a parliament, with the hope of a supply to pay his daughter's dowry, and the expenses of the court festivities on the occasion. It now embroiled him with both.

* Birch's Neg. 394.

The measures of a prince, it has been before observed, are estimated by his motives and character. It was especially so in the case of this prince. His trembling eagerness for peace, on his accession, exposed him to contempt for the conclusion of a treaty with Spain, which might easily be vindicated. The reluctance which he showed to embark in a war with the whole house of Burgundy, for the crown of Bohemia and the Palatinate, fixed a still more disgraceful stigma on his character. It subjected him to the imputation of being not only a dastardly sovereign, but an unnatural parent. Yet is there not a trait of wisdom, argument, or rhetoric, employed by the elder Pitt, in his best days of fame and eloquence, against embarking the English nation in a war for the sake of Hanover, but might with equal justice be applied to the Palatinate.

This marriage was in every way inauspicious. By stimulating the ambition of the elector palatine, it not only led to his ruin, but brought upon his country the long and melancholy carnage termed the thirty years' war. The reverses of the king and queen of Bohemia, however, which at one time arrested the attention of Europe, and stirred the blood of the English nation, have dwindled to a very humble position in history.

It is necessary to premise a few circumstances relating to the empire. This vast confederacy of independent states, further divided into three communions,—the Roman, Lutheran, and Calvinistic,—with an elective and restricted emperor at its head, held the first rank, but, beyond its own limits, exercised little power, since the death of Charles V., as an European monarchy. Ferdinand I. attempted to consolidate, and only weakened, the empire. The imperial sceptre was held by Maximilian with a still feebler hand. The emperor Rodolph divided his time between his chemical laboratory and his stables, alternately conversing with philosophers and his grooms*,

* Tycho Brahe, having calculated his horoscope, predicted danger to him from his kindred. The princes of his family were, in consequence, obliged to put on the livery of grooms in order to obtain access to him.

whilst the Turks were over-running his kingdom of Hungary. It should not be forgotten, for the honour of this weak emperor and of philosophy, that he established liberty of conscience in his dominions, hereditary and elective, by his edict of 1609. The emperor Matthias, who succeeded him in 1614, reigned without capacity, and died without issue in 1619; having adopted as his heir his cousin Ferdinand of Gratz, who claimed with the empire the elective crowns of Hungary and Bohemia. The spirit of liberty at this time prevailed remarkably through Europe,—communicated, doubtless, by the example of the Dutch. Communities seemed to know that, as between them and their rulers, they had rights and privileges. The Bohemians, the Hungarians, and even the hereditary subjects of the emperor, complained that their rights were not respected. Ferdinand was declared king of Bohemia in the lifetime of Matthias, but repudiated by the Bohemians: they contended, that the rights of the states of Bohemia, and the elective character of the crown, had not been duly observed; that their religious privileges were infringed; and that justice could be done only by assembling a diet of the states of the kingdom. It seems quite clear that the right of electing their king had been systematically invaded, from Ferdinand, the successor of Charles V., to Ferdinand II., now the successor elect of the emperor Matthias; but it is equally clear that the Hussites and evangelics, intolerant of the vicinage of popery, and inheriting the rancour of their countryman, Ziska, against the pride and avarice of fat and sensual priests *, violated the rights of the archbishop of Prague and abbot of Brunow, by building churches upon their lands, on the principle that all church lands were included in the general term crown lands, upon which they had an express right to build under the "edict of peace" of the emperor Rodolph. † The emperor denied, or, according to Nani,

* See his epitaph, from Theobaldus, in Dict. Hist. art. *Ziska*.
† See the fourth book of Nani's "History of Venice;" which is, in fact, the history of Europe for the time.

deferred their prayer, and prohibited their building upon the archiepiscopal and abbey lands. Upon this the Bohemian evangelics fasted, and prayed, and deliberated a whole day; proceeded, well armed and mounted, and attended each by an armed servant, on the 23d of May, 1618, to the castle of Prague, where the council of state was sitting, and flung three of the most obnoxious councillors—Martinitz, Slavatta, and Fabricius—out of the council room window into the castle ditch. Nani, in his "History of Venice," says, the lives of the three councillors, in their descent, were saved by a miracle; but it appears, from other accounts, that they were fortunate enough to descend upon a soft bed of stagnant water and mud. Count Thurn, or de la Tour, the chief of the insurrection, is described as addressing to his followers a harangue, which, whether made for him by the Venetian historian, or really spoken, was worthy of the occasion. He said, "the privileges of the kingdom were violated, and the exercise of their religion made to depend upon the will of princes; that the usurped crown of Bohemia passed from head to head, as the revenue and inheritance of one house; and to establish an everlasting tyranny, in spite of death, is never suffered to be vacant." "What," said he, "have we not suffered? The use of life comes now to be denied us, and the usufruct of our souls contested; but all our past miseries will recall to remembrance but some imperfect representations of the calamities to come. Rodolph lived amongst us; Matthias has reaped us as the first-fruits of his ambitious desires. But what may we expect from Ferdinand, unknown to us, in himself rigorous, directed by Spanish counsels, and governed by that sort of religious priests and people who detest, with an equal aversion, our liberty and faith? He was born and bred up in the abhorrence of us protestants, and why should we be so forward to make trial of him? The persons banished, the families transplanted, the goods violently taken away, demonstrate too cruelly to us, that he would abolish our very being, if he could

as easily command nature as he uses force. Woe to you, Bohemians — to your children, to your estates, to your consciences — if you suffer this Ferdinand to keep the throne! And when will you attempt to shake off the yoke, if you have not courage to do it now, when, without power, without guard, the kingdom is in your hands? The die is cast; liberty or the scaffold!"

The government and authorities of Prague were immediately changed; and the insurgents issued a manifesto, vindicating their proceedings, without exception of the precipitation of the three state councillors from the council-room window; and were soon joined by the provinces of Lusatia, Silesia, and Moravia. An act of confederacy between the parties was signed in July. Ferdinand meanwhile had succeeded Matthias in the empire; but the directors, so called, who exercised the provisional government of Bohemia, repudiated him no less earnestly, and began to look around them for an elective king. They made the first offer to Charles duke of Savoy, a catholic prince. This proves that the violation of their municipal or constitutional privileges was their chief incitement and provocation, and not that fanatical Calvinism which has been charged upon them by historians more zealous for the interests of the churches of Rome or England than for truth. The duke of Savoy declined the offered crown. They next invited the elector of Saxony to become a candidate, with the same want of success. These refusals have been ascribed to prudence and fear of the emperor: but an elector of Saxony, Maurice, had defied and foiled the emperor Charles V.; the new emperor, Ferdinand, was a weak enemy; and how rarely has ambition, tempted with a crown, yielded to prudence! Ruling princes can forget their ambition, their mutual rivalries and animosities, in their common interest against the pretensions of a community to vindicate its rights or establish its freedom. Hence the refusal of the dukes of Savoy and Saxony. It is unfortunate that the people are not equally clear-sighted to the fact, that, in lending them-

selves against the struggle of another people to become free, they are fastening or preparing their own fetters.

The Bohemians, thus disappointed, turned their eyes to Frederic, the elector palatine, — a Calvinist, and the son-in-law of a powerful monarch calling himself Defender of the faith, and Protector of the Reformation. The emperor Ferdinand made several overtures, dictated by his weakness, not moderation, to reconcile the Bohemians to his title by pacific means. But the latter, confident in their courage, and in the aid of Bethlem Gabor, waiwode of Transylvania, who had made himself master of Hungary, having obtained the consent of the palsgrave, elected him in his absence. This prince's want of capacity was heightened in appearance by the dulness of his countenance. His reputation, before his arrival in England, was such, that the court was agreeably surprised, on his presenting himself, to find him somewhat more human and civilised. Still, a young, beautiful, and amiable princess was looked upon as sacrificed in marrying him. But with the heaviness of his faculties, he combined a proud and ambitious notion of his own extraordinary value: he was, moreover, a narrow-minded bigot; and his Calvinist chaplain Schults, who ruled him as absolutely as Philip III. was ruled by his confessor, inflamed his bigotry and ministered to his pride. He saw or was taught to see, "the finger of God" in his election, and himself the chosen instrument foretold in the Apocalypse. Trusting to his high destinies, he did not condescend to consult or inform his father-in-law — so famed for wisdom as to be called the Solomon of the age; set out with the princess palatine and their children on the 7th of October, escorted by 1200 cavalry; was met at Egra by the Bohemian commissioners; made his solemn entry into Prague on the 31st, and was crowned king of Bohemia, *dante Deo et ordinum concordia**, on the 4th of November. The princess, in three days after, was crowned queen.

* This was the inscription on the coronation medals.

The first intelligence of the high fortunes of his majesty's daughter and son-in-law was brought by Albertus Morton, at Christmas. An ambassador from his Bohemian majesty arrived in a few days after, to apologise to the king for his son-in-law's silence, and solicit aid against the emperor in defence of his crown. The news produced contrary effects on the nation and on the king. The people of all orders were in an ecstasy, upon the occurrence of an event which flattered the religious as well as martial humour of the nation. Archbishop Abbot, confined with gout to his bed, wrote a letter to secretary Naunton, advising that the event should be celebrated with bonfires and pealing of bells, as the first act in the downfall of the beast in the Apocalypse; that the jewels of the late queen, in the Tower, should be sold to defray the expenses of a war. "Methinks," says the inspired and warlike prelate, "I do, in this case, and that of Hungary, foresee the work of God; that, piece by piece, the kings of the earth that gave their power unto the beast, shall now tear her and make her desolate, as St. John in his Revelation hath foretold." * In Hungary, the archbishop saw "the work of God" and the fulfilment of the Revelation of St. John. Bethlem Gabor was set up and supported against the emperor, for very different purposes than those presumed in the Apocalypse, by the Turks. James, always meddling, but never acting, had sent Hay, now viscount Doncaster, into Germany, to assist in settling the troubles of Bohemia, which then did not concern him. His embassy was traversed by the election of his son-in-law; and now that he was really a party interested, his great object was to keep out of the contest. It was not alone his shrinking fear of war and violence that influenced him, but the same common interest of sovereigns against the people which actuated the dukes of Savoy and Saxony. "It was," says Carte, with his usual toryism and honesty, "a very dangerous ex-

1620.

* Cabala, 103.

ample to the subjects of all Christian princes, whose common interest obliged them to disavow all such pretended powers of the people."* James, who seemed to think that the world was to be governed by the pacific means of conferences and embassies, sent ambassadors to support his son-in-law's pretensions at Vienna and Brussels. Their labours were as fruitless as might be expected. His next step was to raise money by a benevolence, enforced with more openness and effrontery than usual, upon the strength of a popular cause — the raising of 4000 volunteers, not to support the king of Bohemia, but to protect the hereditary dominions of the elector palatine. He permitted his son-in-law and daughter to be named, and publicly prayed for, only by their hereditary title. The earls of Oxford and Essex, and sir Horatio Vere, left England in July, with the 4000 volunteers thus raised and equipped, and proceeded by Holland and the Rhine to the Palatinate.

The affairs of the king of Bohemia meanwhile were critical, but yet, in the hands of a man adequately resolute, capable of being brought to a successful issue. The emperor was assisted with 10,000 troops from Spain; the minor states of Germany raised 13,000 men for his service; the king of Poland sent him 4000 Cossacks; whilst the archduke was enabled, by his unexpired truce with the United Provinces, to place 30,000 men under the command of the celebrated Spinola, to be employed against the Palatinate. The king of Bohemia at the same time was placed under the ban of the empire. The imperial troops were commanded by Maximilian duke of Bavaria, against his kinsman. Maximilian and Frederic were the two great branches of the same family. Had they united, they might have wrested the empire from the house of Austria. But they were divided by religion and rivalry. Maximilian advanced with an army of about 50,000 men: Frederic's army, including 10,000 Hungarians sent by Bethlem Gabor, was

* Vol. iv. b. 2. p. 60.

only about 35,000. He had advantages, however, in the possession of Prague, the religious and national enthusiasm of the people, and his defensive position in the midst of his resources; whilst the imperialists were ill-provided in a hostile country. These circumstances more than restored the balance of numbers. But Frederic was not merely deficient in talent; he wanted common resolution and liberality. Count Thurn and the bastard of Mansfeldt, afterwards so celebrated, had raised troops and prepared the people for his arrival. They understood the temper, and possessed the confidence, of the Bohemians. Frederic disgusted them by giving his whole confidence, and the command of the troops — both his own and the Bohemian — to the prince of Anhalt. With abundance of money, the pay of the army was sordid and irregular. Such a man was not made to keep or deserve a disputed crown, and he lost it with ignominy. On the 7th of November, the imperialists encamped within two miles of Prague, under the walls of which the Bohemians were posted. Maximilian was reduced to the alternative of victory or starvation. The Bohemians occupied such a position, that Prague could be entered by an enemy only by overpowering or dislodging them; and, being on the defensive, were posted upon the brow of a hill. The celebrated Tilly began the attack on the morning of the 8th; was twice repulsed; but succeeded in his third charge, with the assistance of Bucquay's Spanish cavalry, which attacked and routed the Hungarian horse of Bethlem Gabor; whilst the duke of Bavaria, who commanded the imperialists in chief, advanced with the right of his army — hitherto unengaged — took the Bohemian artillery posted on the left, and put the whole of Frederick's army to the rout.* Of the Bohemians, 5000 were killed in the pursuit; and 2000, chiefly Hungarians, drowned in attempting to swim across the Moldaw. "The old prince of Anhalt," says Carte, "was the first who brought the news to the

* Carte, iv. 64, 65., from a MS. letter of Dr. Winston, who was in the action.

castle (of Prague) where their electoral highnesses were." The dastardly or dull indifference of Frederic to his reputation and interests, in thus waiting the event in distant security, has been justly stigmatised, even by historians the most friendly to his cause.* The battle lasted but two hours, with the loss of only 300 men on the side of the imperialists. Frederic, with his wife and children, escorted by only 300 horse, fled to Breslaw, and thence by Berlin into Holland; leaving behind him the unfortunate chiefs of his party to the vengeance, and his cherished wealth to the plunder, of the imperialists, who entered Prague next day. The Bohemians expiated most severely their foolish choice of a king.†

Frederic was equally unfortunate in the palatinate,—a territory the most open to invasion of any in Europe, and the most frequently ravaged. He had confided its protection to the protestant princes of the Union, and his father-in-law had sent him 30,000*l.* and 4000 volunteers. But Spinola crossed the Rhine with such expedition, and over-ran the palatinate with such success,—whilst the emperor denounced the ban against the princes of the empire who adhered to Frederic,—that the Union was dissolved, and nothing remained to him but two free corps, rather than armies, under Mansfeldt and the prince of Brunswick, and the 4000 English volunteers in the palatinate. He received a pension of 10,000 florins a month from the states-general, for his subsistence in Holland. Lords Oxford, Essex, and Gerard, with other superior officers, returned ingloriously enough to England; having left their troops quartered for the winter in Manheim, Frankendael, and Heidelberg.

1621. Voluntary contributions, forced benevolences, reluctant

* Coke's Detection, &c. i. 108.

† The king and queen, in their flight, wrote short but earnest letters to James, imploring aid and protection in their desperate fortunes. (See Ellis's Orig. Lett. &c. iii. 111, 112.) The editor, in his curious "Illustrations" of these letters, has brought to light, that "Frederic, the fifth count palatine," &c. was "a man of *excellent* character and *amiable manners*;" that, "after an obstinate engagement, *he* was defeated, and, *finding it impossible to rally* the wreck of his army, *retired* into Prague." This account would dispose rather summarily of very grave authorities, contemporary and subsequent.

loans; the continued sale of crown property, including some of the jewels left by the late queen * ; the various schemes suggested by projectors, who were patronised by Buckingham still more than by Somerset; all failed to afford any effectual relief to the king. Nothing remained but the desperate resource of meeting the commons. But there was the popular topic of recovering the palatinate, the patrimony of his grandchildren—involving, moreover, the cause of protestantism against popery—and he made the awful experiment. Parliament was summoned to meet on the 16th of January. He, at the same time, warned the people by proclamation, not "to presume to talk or write saucily of the *arcana imperii*, or state affairs† ;" and he now instructed the electors what sort of men they were and were not to choose for their representatives.‡ But he had neither character nor power to command obedience or respect. The session, by adjournment from the 16th, was opened on the 30th of January. James addressed them in a speech which he intended to be conciliating; but it consisted chiefly of hollow promises, direct falsehoods, and rambling erudition. He denied any particular disposition to the Spanish match, upon which his heart was set, and which he was actually negotiating. Affecting a tone of penitence and reformation, he said he was now better acquainted with the state of the land. "I was then," says he, "led by the counsellors which the old queen had left; and it may be there was a misleading and a misunderstanding between us, that bred an abruption; and at the last parliament there came up a strange kind of beasts, called undertakers, which I abhor:" thus admitting now, what before he had so solemnly denied. In fine, he expressed his resolution to recover the palatinate, stated his wants, and asked supplies. The chancellor Bacon addressed both houses in a tone of arrogance which it is difficult to account for. "Give me leave," said he, "to give

* The king was frequently reduced to the necessity of selling the crown jewels.—*Rymer*, xvii. 99 176. 194.

† Camd. Ann. Jac. Dec. 1620.

‡ Rym. xvii. 270—275.

my advice to the upper and lower house briefly in two words—*nosce teipsum.*" He had soon to practise his own lesson of humility.

The first step of the commons was to request the concurrence of the lords in addressing his majesty for a more rigorous execution of the laws against papists. Absurd and incredible as it may appear, some of the members seemed to hold them guilty of the mischances of the king and queen of Bohemia. Such was the vague terror of papists, that a committee of five members was proposed, to search the vaults and cellars, two days in the week, in the apprehension of another gunpowder treason. That horrid crime had made popery an object of more than savage hatred. "They," said the same member who proposed the committee, "that eat their God, would eat us." * What a horrid mixture of madness and malignity is fanaticism, whether papist or protestant! The popular cause of the palatinate was not without its effect. On Friday, the 15th of February, the commons voted unanimously a supply of two subsidies, without limiting its appropriation, or appending to it the ungracious condition of a redress of grievances. The clergy, at the same time, voted him three subsidies. The arrest of members at the close of the last parliament was bitterly recalled, in the discussions both upon popery and the supply. James gave the most flattering assurances. "He would," he said, "check popery, respect the freedom of speech; and, though the supply was small, he preferred it to millions, because it was so freely given."† The king, a cunning simpleton—if the expression may be allowed—thought he was moulding the commons to his purpose.

The commons, having voted an insufficient supply, which left the king still at their feet, proceeded to the examination of grievances, and—what was still more alarming—the punishment of delinquents. Among the herd of projectors, none were more vexatious than

* Parl. Hist. i. 1184.
† His speech to the lords, Coke's Detection, part i. p. 111.

the patent monopolists; and of these, sir Giles Mompesson was the most notorious and abhorred. The commons selected him for their first victim, and James abandoned to them both the projector and the prerogative. He further declared, in a speech to the lords, that, had any complaints been made to him, the offenders should have felt the vengeance of a just king. This clinging to conciliation, from fear and weakness, could no longer serve him. Common prudence and moderation would have made him rich and powerful, at an earlier period of his reign. Mompesson, and his co-partner sir Francis Michell, had two patents, which they equally and grossly abused, for making gold and silk thread, and for licensing inns and alehouses. The offence, upon the first patent, was twofold: first, the violation of an express law, in not using foreign gold; next working the thread from a base mixture. The former was regarded as the chief offence, as it increased the scarcity of current coin. The monopoly of licences to inns and alehouses had been made the instrument of extensive and grievous hardship.

It was fortunate for the commons, that rancour and revenge against the court made sir Edward Coke take up the popular cause. The house was about to commit itself by the flagrant irregularity of proceeding to try and punish the offenders, when Coke showed them that they were exceeding their jurisdiction, and pointed out, as the proper course, an application for justice to the lords — that course of proceeding, in fact, since called an impeachment. Mompesson, who was in custody of the sergeant, but escaped, was condemned in his absence to degradation and imprisonment for life.* Michell was degraded, fined 1000*l.*, and imprisoned during the king's pleasure. Sir Henry Yelverton was implicated in these transactions, through the malice of Buckingham. Yelverton was almost the only person who owed his fortune to Somerset, and did not prove ungrateful: he refused any share in the prosecution, though solicitor-general at the

* Carte, iv. 71.

time: he had the temerity to accuse Buckingham, in his defence on the present charge, at the bar of the lords; and was condemned to two heavy fines—one to the king, the other to Buckingham, who instantly remitted it—and imprisonment for life. Sir John Bennet, judge of the prerogative court, was impeached for bribery and extortion, and expelled the house, but allowed to stand out on bail to the next session of parliament. Doctor Field, bishop of Landaff, was impeached for brokage and bribery in a transaction relating to an award in chancery; and acquitted of the latter, but adjudged to be reprimanded in convocation for the former, merely as Dr. Field, because he had offended before he became a bishop. Bacon said very truly, that corruption was the vice of the age—*vitium temporis*. How melancholy, that he should have been himself the great example of the truth of his own reflection!

The impeachment of Bacon has been ascribed to personal hostilities, and his guilt palliated out of reverence to his genius. He was the victim, according to Carte, of the envious malice of sir Edward Coke, who now guided the house of commons; whilst lord Clarendon seems to impute his ruin to the displeasure of the favourite Buckingham. Coke did not appear prominently; but he may, nevertheless, have actuated the committee of enquiry, out of which the impeachment grew; and he had made vain endeavours to implicate Bacon in the crimes of Mompesson.* Buckingham is said to have promoted or permitted the fall of Bacon, to make way for bishop Williams, whom he intended to make keeper of the seals, and third husband of the old countess his mother.† It is certain that Bacon was loudly accused of injustice in his court‡; and what can be said for the innocence of one who has confessed himself guilty? A report of the committee of enquiry into abuses in the courts of justice recommended proceedings for corruption against the lord chancellor, Francis viscount St. Alban's; "a man," says the reporter, sir Robert

* Carte, iv. 74. † Weldon.
‡ See Mangham's case in the star-chamber, State Trials, ii. 128.

Phillips, "endued with all parts, both of nature and art."*. The commons charged him before the lords with twenty-two acts of bribery and corruption. Sinking under their weight, as much or rather more from weakness of temperament than conscious guilt, he was taken ill, and addressed a letter to the lords by the hands of the favourite Buckingham, representing the state of his health, and soliciting time to make his defence. He requested further, "that, according to the course of justice, he might be allowed to except to the witnesses brought against him, to move questions to the lords for their cross-examination, to produce witnesses for the discovery of the truth; and, if there came any more petitions of the like nature, that they would not be prejudiced by the number or muster of them, especially against a judge that made 2000 decrees and orders in a year (to say nothing of the courses that had been taken for hunting out complaints against him); but that he might answer them, agreeably to the rules of justice, severally and respectively."†

The two houses adjourned from the 27th of March to the 17th of April. Bacon, meanwhile, had an audience of the king; which most probably was the determining cause of his acknowledging the crimes charged upon him, and supplicating the mercy of his peers and judges.‡ On the 24th of April, he addressed a letter of formal submission to the house of lords. It was presented by the prince of Wales, and concluded as follows:—"My humble suit unto your lordships is, that my penitent submission may be my sentence, and the loss of the seal my punishment; and that your lordships will spare my further sentence, but recommend me to his majesty's grace and pardon for all that is past. God's holy spirit be amongst you."§

Bacon was excused by the lords from appearing at the bar, but commanded to make answer in detail to the

* State Trials, ii. 1088.
† Carte, iv. 74.
‡ Carte, ut suprà.
§ Bacon's Works.

specific charges against him. He complied, and addressed "a confession of particulars" to the house on the 30th of April. His second confession was approved; and he was sentenced to the loss of the great seal, disqualification for the service of the state and a seat in parliament, a fine of 40,000*l.*, and imprisonment during the king's pleasure. The second confession of Bacon extenuates his offences. Of the bribes charged upon him, some were trifling, being pieces of furniture, rings, and buttons; and the largest sums were loans at interest upon security. It must also be remembered, that receiving presents was nearly as much the usage of his predecessors, as it was of the French judges to receive what were called *épices.** A remark of great weight, and suggesting an essential distinction, has been made upon his case, — that he was not accused of selling injustice. Rushworth, himself a barrister, says of him, that "the gifts taken were for the most part for interlocutory orders; his decrees were made with so much equity, that, though gifts rendered him suspected for injustice, yet never any decree made by him was reversed as unjust, as (continues Rushworth) it hath been observed by some knowing in our laws." Were there nothing against Bacon but the subject-matter of this impeachment, Pope's well known antithesis might be disputed. But who can forget, and, remembering, cannot deplore, his behaviour to Essex, his unprincipled grovelling servility to Elizabeth and James? In Pope's verse, the superlative of wisdom is more questionable than that of meanness. Bacon, in all the misfortunes of his life, was the victim of his ignorance of the value of money. He brought himself to distress and degradation by wasteful negligence, and allowed himself to be robbed and ruined in his fortune and reputation by his servants. His life should be a moral lesson, as his genius is an intellectual guide, to all mankind. James released him, after two days' imprisonment, from the Tower, and

* See Luder's Consid. on the Law of Treason, and Barrington on Magna Charta.

remitted his fine; and he employed himself in retirement upon those works which have made his name immortal.

Nothing, it is said, is at once so dastardly and cruel as a mob. The house of commons now signalised itself by an act the most unmanly and atrocious. A Roman catholic, named Edward Floyde, confined in the Fleet, whether for debt or popery does not appear, said in a tone of satisfaction to the chaplain of the Fleet, that "Prague was taken, and goodman Palsgrave and goodwife Palsgrave had taken to their heels." The commons, upon the unsworn declaration of the chaplain and others, adjudged him to ride on a horse without a saddle, his face backwards, and holding the horse's tail; the pillory, whipping, a fine; and confinement for life. The king intimated to them by a message, that they were exceeding their power; and sent them the copy of a record roll of 1 Henry IV., from which it appeared that the jurisdiction in the case belonged to the lords. The commons were at once perplexed and furious; and Coke, who never hesitated to silence his conscience and suppress his knowledge, where he could indulge his passions, appears to have maintained that the house was a court of record, and might administer an oath. The more moderate and cautious Noy, however, showed "that the matter of judicature remained above with the upper house;" and it was deferred to the lords accordingly. The lords thus saved their jurisdiction from the usurpation of the commons; but, by way of keeping up "a good understanding between the two houses," adopted and improved upon the atrocity of their sentence. "The censure," says the lords' journal, "against E. Floyde being propounded in this manner; viz. '1. Not to bear arms as a gentleman, &c. 2. To ride with his face to the horse's tail, to stand on the pillory, and his ears nailed. 3. To be whipped at a cart's tail. 4. To be fined at 5000*l.* 5. To be imprisoned for life in Newgate:' It was put to the question, first, Whether the said Floyde shall be

whipped or no, which some lords doubted to yield unto, because he was a gentleman; yet it was agreed, *per plures*, that he shall be whipped. Then it was put to the question, Whether Floyde's ears shall be nailed to the pillory, or no; and agreed, *per plures*, not to be nailed." *

It is a serious derogation from the merits of all the parliaments of James — applying the word parliament essentially to the house of commons — that religious animosity should have actuated them more than the sentiment of liberty and the maintenance of their rights. Fuller, a barrister of Gray's Inn, moved a *habeas corpus* for a puritan imprisoned by Bancroft; and grounded his motion on the absence of all right in the ecclesiastical commission to imprison the king's subjects. For this he received and suffered from the star-chamber the sentence of imprisonment for life, and the commons never stirred. Whitlock, a barrister, was obliged to expiate, by submission on his knees before the star-chamber, the crime of giving a professional opinion on a point of prerogative — the legality of a commission for naval enquiry. The learned Selden published a "History of Tithes," in which he traced the right in that unique sort of property to a human origin in a barbarous period — the Capitularies and age of Charlemagne. The high commission court summoned him as an offender, obliged him to make a formal renunciation of his errors; and condemned him to silence — unless he chose to support the divine right of tithes. In none of these cases did the commons interfere to vindicate law, reason, and humanity. Much allowance, however, is to be made for the want of experience, the absence of the landmarks of a settled constitution, and, in fine, for the passions — those mainsprings of human achievement, with whose violences it is necessary to compound, in order to profit by their force. The house of commons did not know as yet either the nature or limits of its constitutional attributes

* State Trials, ii. 1159.

— the proper exercise or the proper objects of its authority—and, both abroad and at home, popery appeared in affinity and alliance with despotism.*

The king at last became impatient of the mockery of conciliation with which he tried to manage the commons, and threw off the mask. Whilst the house was in its full career of reforming abuses, checking popery, expressing fears of a Spanish match, and resolutions to defend the palatinate, James prorogued parliament by commission, and retired to Theobalds. The house was taken by surprise; voted by acclamation, that if the king's pious endeavours failed to restore the prince and princess palatine by negotiation, they would support him with their lives and fortunes; and separated with shouts, not of joy, but of defiance and discontent.

His majesty, meanwhile, had been negotiating with all his might at the courts of Spain, Vienna, and Brussels. James, who mistook cunning for sagacity, and thought that the same reach of mind which enabled him to detect the forgeries of lady Lake, and the impostures of the man who preached Greek and Hebrew sermons in his sleep †, could embrace in state policy the relation between the means and the end, imagined himself compassing two objects nearest to his heart; viz. the restoration of the palatinate to his son-in-law without a war, and the filling of his coffers with the infanta's dowry. His ambassadors, accordingly, were in full activity. Whilst Gondemar, who had returned to Spain, and sir Walter Aston the resident English minister, were promoting a marriage at Madrid; Digby, afterwards earl of Bristol, was nego-

* Such indulgences of passion and power are calculated to inspire jealousy of the privileges of parliament; and a well-known case, only a few years since, proves that the house of commons is still, or at least was then, very capable of exercising and stretching its jurisdiction for the benefit of the court. It seems very questionable, whether either house should be both party and judge—whether it be not for parliament to watch and keep in order the judicial power, rather than exercise its functions. There is an obvious safeguard against the house of commons, viz. that the cable which connects it with the people should be neither too loose nor too long.

† He employed for several days his own wisdom, and that of his council, in detecting the imposture of one Haddock, who persuaded the university of Oxford that he spoke Greek, Latin, and Hebrew in his sleep, though almost wholly ignorant of those languages when awake.

tiating, first at Brussels, and then at Vienna. The king proposed that his son-in-law, upon his submission to the emperor, should be relieved from the ban, and restored to his possessions; and the emperor consented, requiring only the king's guarantee for the frank submission of the palatine. All promised well: Digby proposed to the emperor a cessation of arms; and was told that it should be granted, upon obtaining the consent of the duke of Bavaria, without whom the emperor could not grant it. The duke, upon being referred to, said no truce was necessary, as the palatinate was already reduced by him; and the emperor, the elector, and the English ambassador, might pursue the settlement of the interests of the palatine. It was plain that the duke of Bavaria treated the proposal of a truce with derision, and had already an understanding with the emperor that the Palatinate should be made over to him.

Nothing remained for James, but the desertion of his daughter and grandchildren, or the dire alternative of going to war. Digby, having returned to England, laid this state of affairs before parliament. He added, that there were 21,000 men — 16,000 under Mansfeldt, 5000 under sir Horatio Vere — in the Lower Palatinate; and that the inheritance of his majesty's grandchildren could be saved only by sending out, with all speed, money and more men. Parliament had re-assembled on the 20th of November. The treasurer urged the necessity of a supply of 200,000*l.* a year, to maintain war in Germany; and reminded the commons of their last parting declaration. Whether the commons distrusted the king in the appropriation of a supply, or a clamorous resolution in general terms was very different from the binding grant of a large sum, they seemed untouched by the report of the diplomatist, and the exigencies stated by the treasurer. After much debate and digression, they voted one subsidy, which would fall short of 60,000*l.*; papists, as aliens, to be assessed double. So small a supply, for carrying on a war with the emperor, was a mockery; the commons, notwithstanding, agreed to a petition, in

which they particularly advised a general war for the advancement of protestantism, and deprecated a Spanish marriage. Complaints at the same time were made in the house, of the arrest of a member, sir Edwin Sandys. It is necessary to state, that Sandys and Selden — the latter not a member — and lords Oxford and Southampton, Sutcliff dean of Exeter, sir Christopher Neville, and a puritan minister named Brise, were placed under arrest; and, after examinations before the council, and a short confinement, restored to liberty.* Their offences are not assigned; but it may be collected from Camden †, that they had indulged in "talking *arcana imperii*," against the proclamation of his majesty. The intended petition, and the proceedings respecting the arrest of Sandys, to whom the commons sent a messenger to know the cause of his arrest, were privately made known to James, who was consulting his health and ease at Theobalds. He addressed a violent and infatuated rebuke to the speaker. This letter, containing, in a few words, the code of despotism which brought his son to the block, was as follows: —

"Mr. Speaker, — We have heard by divers reports, to our great grief, that our distance from the houses of parliament, caused by our indisposition of health, hath emboldened the fiery and popular spirits of some of the commons to argue and debate publicly of matters far above their reach and capacity, tending to our high dishonour, and breach of prerogative royal. These are, therefore, to command you to make known in our name unto the house, that none therein from henceforth do meddle with any thing concerning our government, and deep matters of state; and namely, not to deal with our dear son's match with the daughter of Spain, nor to touch the honour of that king, or any other of our friends and confederates; and also not to meddle with any man's particulars, which have their due motion in any of our ordinary courts of justice. And whereas we hear they

* Camd. Ann. Jac. 1621. † Id. ibid.

have sent a message to sir Edwin Sandys, to know the reasons of his late restraint, you shall in our name resolve them, that it is not for any misdemeanor of his in parliament; but *to put them out of doubt* of any question of that nature that may arise among them hereafter, you shall resolve them in our name, *that we think ourself very free and able to punish any man's misdemeanors in parliament, as well during their sitting as after*; which we mean not to spare hereafter, upon any occasion of any man's insolent behaviour there, that shall be ministred unto us: and if they have already touched any of these points, which we have forbidden, in any petition of theirs which is to be sent to us, it is our pleasure that you tell them, that except they reform it before it comes to our hands, we will not deign the hearing nor answering of it." *

The reading of this letter produced a ferment in the house. The messengers who had set out with the petition, which in part had provoked it, were called back, and charged with another remonstrance; in which they explain the former temperately and humbly, but firmly; and vindicate "their ancient liberty of speech, jurisdiction, and censure, as their ancient and undoubted right, and *an inheritance received from their ancestors.*" They sent off both remonstrances to the king, who would receive only the latter. He sent them, in answer, a rescript of enormous length in the Scotch dialect †, and, doubtless, his genuine composition; concluding with the declaration, that "he could not allow the style of *their ancient and undoubted right and inheritance*, and wished they had said their privileges were *derived from the grace and permission of his ancestors and himself.*" The commons, seeing their privileges and the liberties of the nation placed at, or rather under, the feet of the monarch, appointed a committee to draw up a protest. James, hearing of this, endeavoured to divert them by a hollow attempt to soften his expressions. The com-

* Coke's Detection, i. 113, 114. † Ibid. i. 115.

mons persevered; and, on Tuesday, the 18th of December, the following protest, after having been several times read and examined, was entered on the journals, "as of record, the house sitting between five and six of the clock at night, by candle-light."*

"The commons now assembled in parliament, being justly occasioned thereunto, concerning sundry liberties, franchises, privileges, and jurisdictions of parliament, amongst others not herein mentioned, do make this protestation following: — That the liberties, franchises, privileges, and jurisdictions of parliament are *the ancient and undoubted birthright and inheritance* of the subjects of England; and that the arduous and urgent affairs concerning the king, state, and the defence of the realm, and *of the church of England,* and the making and maintenance of laws, and redress of mischiefs and grievances, which daily happen within this realm, are proper subjects and matter of counsel and debate in parliament; and that, in the handling and proceeding of those businesses, every member of the house hath, and of right ought to have, freedom of speech, to propound, treat, reason, and bring to conclusion the same: that the commons in parliament have like liberty and freedom to treat of those matters, in such order as, in their judgments, shall seem fittest; and that every such member of the said house hath like freedom from all impeachment, imprisonment, and molestation (other than by the censure of the house itself), for or concerning any bill, speaking, reasoning, or declaring of any matter or matters, touching the parliament or parliament business; and that, if any of the said members be complained of and questioned for any thing said or done in parliament, the same is to be showed to the king, by the advice and assent of all the commons assembled in parliament, before the king give credence to any private information."

This memorable protest may be regarded as a pendant to the king's letter, and both the protest and the letter as containing the antagonist principles for which blood was shed on the scaffold and the field in the approach-

* Journ. 18th Dec. 1621.

ing civil war. The king, in a paroxysm of rage and imbecility, came from Theobalds to London; ordered the clerk of the house of commons to bring him the journals; tore out with his own hand the obnoxious protest; made a minute of this feat of prerogative in the council book; did all this in the presence of his council and the judges* ! and dissolved the parliament by proclamation.

This was the last important parliament during the reign of James. No grand security was obtained by legislative enactment; but the process of impeachment was established; the power of the commons was made conspicuous and palpable to the great mass of the people; and, though no publication of the proceedings was allowed, the stirring language of the members was repeated, circulated, canvassed, and applauded. James issued proclamations against talking of what he called mysteries
1622. of state. But his proclamations—disabled by the commons—stripped of their garb of authority by Coke, chief justice—brought into further disrepute by repetition—were now utterly powerless. By way of re-invigorating them, he directed the judges, on their circuits, to give notice in their charges, that "the king, taking notice of the people's liberal speaking of matters far above their reach, and also taking notice of their licentious, undutiful speeches touching state and government, notwithstanding several proclamations to the contrary, was resolved no longer to pass it without the severest punishment, and thereupon to do exemplary justice where they find any such offenders."†

The king followed up the dissolution by another act of chastisement and vigour against the "fiery spirits," as he called them, of the house of commons. He committed sir Edward Coke and sir Robert Phillips to the Tower; Pym, Mallory, and Selden—the last not a member, but consulted, probably, as a constitutional lawyer—to the common prisons; and sent sir Dudley Digges, sir Thomas Crewe, sir Nathaniel

* See Parl. Hist. i. 1362. Carte, Gen. Hist. iv. 94.
† Coke's Detection, i. 122.

Rich, and sir Richard Perrot on forced missions to Ireland. The attempts made, not only to punish, but ruin, Coke *, as stated by his descendant, the author of the "Detection," deserve no credit where they are not corroborated. Some circumstances in the life of his ancestor he has obviously misrepresented. One fact is certain,—that Coke was proceeded against for an old claim on the part of the crown, and obtained a verdict. The earl of Southampton was imprisoned, at the same time, for language spoken in the house of lords. His particular offence is said to have been calling Buckingham to order for repetition, and for losing sight of the matter in debate. Lord Oxford, also obnoxious to the crown for his conduct in parliament, was sent to the Tower: he was understood to have given offence by some allusion to the Spanish match.†

A parliamentary opposition in the house of lords is dated from this period. There are, unhappily, no sufficient records of the speeches; and the conduct of about half a dozen lords, who opposed the court, has been assigned to personal rather than public motives. Individual peers assailed each other by intemperate personalities. Lord Spencer, on a particular occasion, recalled to the lords the example of their ancestors. "My lord," says the earl of Arundel, according to Wilson, "when those things you speak of were doing, your ancestors were keeping sheep." Spencer replied, "When my ancestors were keeping sheep, yours were plotting treason;" alluding to the unfortunate Norfolk and accomplished Surry. The reference to ancestors, however, shows that it was a question of prerogative. It was remarked, that Charles prince of Wales was constantly present, and sometimes spoke, in this parliament; it was said, that he attended, in order, by his presence, to overawe the house.

* The taking away of his securities for money by those who seized his papers (i. 121.) is incredible. Sir Robert Cotton was charged with the seizure.—*Camb. Ann Jac.*

† Camd. Ann. 1622.

CHAP. VIII.

1622—1625.

COURT CHANGES.—WESTON.—LORD BROOK.—LORD MANDEVILLE.—WILLIAMS, BISHOP OF LINCOLN, LORD KEEPER.—CRANFIELD, EARL OF MIDDLESEX, TREASURER.—HOMICIDE BY ARCHBISHOP ABBOT.—HIS PARDON AND ABSOLUTION.—DEATH OF PHILIP III.—OLIVAREZ.—AFFAIRS OF THE PRINCE PALATINE.—RELAXATION OF THE PENAL LAWS.—SPANISH MATCH.—ITS UNPOPULARITY.—REGULATIONS FOR PREACHERS.—KNIGHT.—WORKS OF PARÆUS.—THE PRINCE OF WALES AND BUCKINGHAM VISIT THE COURT OF SPAIN.—MAGNIFICENT RECEPTION OF THE PRINCE.—MARRIAGE TREATY—CONCLUDED AND SWORN—BY THE KING IN ENGLAND—BY THE PRINCE IN SPAIN.—QUARREL OF BUCKINGHAM AND OLIVAREZ.—THE PRINCE REVOKES HIS PROXY—AND SAILS FOR ENGLAND.—HIS ARRIVAL.—PUBLIC JOY.—POPULARITY OF BUCKINGHAM.—THE MATCH BROKEN.—STATEMENT OF BUCKINGHAM TO BOTH HOUSES.—DISTRESS AND THRALDOM OF THE KING.—CONDUCT OF THE EARL OF BRISTOL.—THE KING DISLIKES BUCKINGHAM.—PROCEEDINGS IN PARLIAMENT.—INTRIGUES AGAINST BUCKINGHAM.—OPPOSITION TO HIM IN THE COUNCIL.—HIS REVENGE UPON WILLIAMS AND MIDDLESEX.—IMPEACHMENT AND RUIN OF THE LATTER.—THE SPANISH AMBASSADOR.—SOMERSET.—PERIL OF BUCKINGHAM.—RESCUED BY WILLIAMS.—THE AMBASSADOR DEPARTS.—THE PALATINATE.—AMBOYNA.—FRENCH MATCH.—ILLNESS AND DEATH OF THE KING.—HIS CHARACTER.

JAMES, having dismissed the parliament, applied himself to the restoration of his son-in-law and marriage of his son. It is necessary to state the changes which had taken place in his council under the ascendant of Buckingham. Sir Richard Weston, more known in the next reign, was appointed chancellor of the exchequer, in the room of sir Fulk Greville, created lord Brook. Montague, chief justice of the King's Bench, purchased, on the disgrace of Suffolk, the staff of treasurer, for 30,000*l.*; after holding it only a year, resigned, or was deprived of it; and was created viscount Mandeville. He was succeeded by sir Lionel Cranfield, who, from a ruined

merchant, was employed as a projector by Somerset; married a relative of Buckingham; became a court member of the house of commons, then viscount Cranfield, and lastly earl of Middlesex. Williams, dean of Westminster, succeeded as lord keeper upon the fall of Bacon, and was created bishop of Lincoln. This appointment of a churchman to expound law alarmed the laity and scandalised the lawyers. It was suspected that it was the first step in a design to place the judicature of the country in the hands of churchmen. James was capable of such a project. It was despotic, cunning, and absurd. The lawyers were enraged at this usurpation of the first object of ambition in the profession of the law. After a faint effort to desert his court, they gave their attendance as usual. Williams is said to have administered justice, if not law, with credit. He had been domestic chaplain to the chancellor Ellesmere; who, at his death, left the chaplain—with a sort of presentiment—his law books and manuscripts. The right reverend lord keeper availed himself of both; and, moreover, of the advice of an eminent lawyer, sir Henry Finch.* It is also to be observed, that, at this period, the principles and practice of the equity judicature were not yet settled; and that it was defined as a court specially constituted to maintain inviolate the king's prerogative.†

A remarkable incident obstructed the consecration of Williams and other bishops elect; one of whom was Laud, who was chaplain to the king, and had special charge of the conscience of Buckingham. It is asserted by bishop Hacket, in his "Life of Williams," that the king yielded with reluctance to the recommendation of him by the lord keeper. One objection to him is stated to have been, his having married lady Rich,

* Common lawyers have recently, in several instances, been made chancellors. They were competent, or they were not. If they were not, they should not have been appointed: if they were, all that is said about deep reading, text books, reports, and practice, is a gross pretence; for a common lawyer, as such, knows no more of equity than of metaphysics.

† "Your high court of chancery," says Bacon to the king, "which is he court of your absolute power."—*Works*, v. 377.

the sister of Essex, in her husband's lifetime, to the earl of Devonshire; another, his pride and turbulence. The author of the "Detection" describes Buckingham as making a whimsical trial of the humility of Laud, through which he passed entirely to the satisfaction of the duke. The two other unconsecrated bishops were, Davenant of Sarum, and Cary of Exeter. Archbishop Abbot, intending to shoot a buck in lord Zouch's park, shot the keeper, through his officiousness, or the archbishop's want of skill. The coroner's jury returned a verdict of unintentional homicide; but those bishops scrupled to be consecrated by the archbishop, as incapacitated by transgressing the canons. The consecration was performed by five bishops*, in the absence of the metropolitan; who, however, received a pardon for all misdemeanors; and a commission of eight bishops absolved him of all irregularity, on the ground that buck-shooting was decent, modest, peaceable, and canonical.† Abbot appears to have been deeply afflicted, and settled 20*l.* a year for her life upon the widow.

The king still persisted in his unpropitious embassies. But it is necessary to state, and it will suffice to state in passing, some changes which took place in foreign affairs and governments. Philip III. of Spain died in March, the preceding year, of court etiquette; no one presuming according to some, condescending according to others, to regulate the temperature of his majesty's fire in the absence of the proper officer, and the king not choosing to compromise his dignity by a change of position. He was a weak, superstitious, and so far as is consistent with weakness and superstition, a harmless prince. His son, Philip IV., who succeeded, was governed by the famous Olivarez, as his father had been by Lerma. In the Spanish Netherlands, the death of the archduke Albert left the government in the hands of his widow Isabella, daughter of Philip II. Richelieu was advancing towards that supremacy in France, which

* Camd. Ann. Jac. 1622.
† Rym. xvii. 337. 339.

he employed to crush the princes, the nobles, the Huguenots, the nation itself, and yet make France the dominant European power. The twelve years' truce between Spain and the United Provinces having expired, hostilities were re-commenced. Mansfeldt and prince Christian of Brunswick maintained a war of desultory encounters and subsistence by plunder, on behalf of the palatine. Whilst sir Richard Weston, the chancellor of the exchequer, was negotiating at Brussels, the duke of Bavaria pursued his conquest of the palatinate; and, to render the king's position still more difficult and perplexing, the palatine, in an evil hour, contrived to pass disguised from Lorraine to Mansfeldt's quarters at Landau. Mansfeldt and Frederic—if, indeed, the latter should be named—obtained some advantages over the archduke Leopold; but were soon forced to yield to the imperialists. Frederic retired again to Holland; and Mansfeldt, after a gallant action with a superior Spanish force, abandoned the palatinate, to enter with his troops the service of the prince of Orange. Prince Christian of Brunswick also joined the Hollanders. There is something curiously irregular in the relations of the parties in this war: Mansfeldt and the prince of Brunswick neither were sovereigns themselves, nor professed allegiance to any sovereign. Resigning, or released from, their engagements to the palatine, they accepted commissions from the prince of Orange. The places of Manheim, Heidelberg, and Frankendael were held by the English under sir Horatio Vere, against the emperor, the Spaniards, and Spanish Netherlanders; whilst James was negotiating as a friendly mediating power between his son-in-law and the courts of Vienna, Brussels, and Madrid.

The last appearance of the palatine in his dominions, after he had made known, through James, his inclination to submit, afforded the emperor a colour for executing his secret purpose, and probably his agreement with the duke of Bavaria, of transferring to the latter the electorate palatine. His policy, and power to do this, were equally apparent. He placed a Roman catholic prince

of the empire in the place of a protestant — a vassal of proved fidelity in place of one who, if not from his capacity, was troublesome from his intractable temper and ambition. The emperor had now completely reduced the Bohemians, come to an agreement with Bethlem Gabor in Hungary, and could bring into the field four armies — the Bavarian under Tilly, the Spanish under Cordova, those of the catholic league and Austria under the prince of Anhalt and the archduke Leopold. The protestant union had at the same time gradually dissolved: the king of Denmark, like James, would aid the unlucky palatine only with embassies: in fine, the duke of Bavaria was invested with the electorate by the diet of Ratisbon; and James consented to place Frankendael, still defended by sir Horace Vere, in the hands of the Spaniards, upon the assurance of the infanta Isabel to restore it in the same state if peace were not concluded in eighteen months. The king, his son-in-law, and his daughter, were objects of compassion, contempt, or ridicule, throughout Europe.*

James, since the abandonment of his hopes or wishes of a French marriage, had no other intercourse with France than his meddling and, under the circumstances, impertinent interference between Louis XIII. and his protestant subjects. The French ministers desired, in return, that he would cease to persecute his own subjects of the church of Rome; and, if they did not reduce him to silence, deprived him of all right to speak. It is indeed, a standing anomaly in English history and

* "The Spaniards," says Coke, "in their comedies in Flanders, imitated messengers bringing news in haste, that the palatine was likely to have a numerous army shortly on foot; for the king of Denmark would shortly furnish them with 1000 pickled herrings, the Hollanders with 100,000 butter boxes, and England with 100,000 ambassadors. They pictured king James, in one place, with a scabbard without a sword; in another, with a sword which nobody could draw out, though divers persons stood pulling at it. In Brussels, they painted him with his pockets hanging out, and not one penny in them, and his purse turned upside down. In Antwerp, they pictured the queen of Bohemia like a poor Irish mantler, with her hair hanging about her ears, with her child at her back, and the king (James) carrying the cradle after her: and every one of the pictures had mottos expressing their malice." — *Detection*, 126.

character, that, whilst the English commons were urging James to alleviate, by his influence and authority, the pressure of intolerant government upon their protestant brethren abroad, they urged him no less eagerly to persecute papists at home; thus at once violating that principle which should be, to Christians, "the law and the prophets" — to do as they would be done by; and defeating with one hand, the object which they sought with the other. Such is intolerance: it knows neither justice, prudence, nor humanity. James's foreign relations were centered in one object — the marriage of his son with the princess of Spain, sister of Philip IV. In this were involved the filling of his treasury, and the restoration of his son-in-law. Digby, created earl of Bristol, was accredited to Spain as special envoy to negotiate it, and sent home favourable accounts of his progress: the chief difficulty was the difference, or rather opposition, of religion. Philip IV. could not give his sister in marriage to a protestant prince, without a papal dispensation; and both Philip and the pope were not merely desirous, but determined, to secure terms of indulgence and security for the English Roman catholics. James took the hazardous step of writing to the pope, but with the utmost secrecy.* In his letter, he desired that the pope should withdraw the Jesuits out of England—with the design, probably, of removing one great cause of jealousy to his subjects; whilst, in execution of his pledges to the pope and king of Spain, he was giving new cause of alarm by relaxing the penal laws against Roman catholics. These relaxations were already begun by him. He ordered a suspension of all proceedings against recusants, and discharged those who were in prison. The Spanish match was still not only a mystery of state, upon which none were to speak or write, but a secret which was only suspected. James, to quiet the jealousy of his subjects, and mask his proceedings, gave

* Hard. State Papers, i. 458—469.

out that the motive of his lenity to papists was to have a ground for demanding more tolerant usage of their protestant brethren in other countries.* This pretence did not impose upon the excusable jealousy of one part of his protestant subjects; still less did it satisfy the fanatical zeal of those numerous protestants who regarded popery as idolatry — that is, a monstrous offence to God, which it was a Christian duty to exterminate by fire and sword. Papists, on the other hand, viewed heresy in the same light. Thus one half of the Christian world was bound in conscience to cut the throats of the other for the honour of God! This is a dark but a true view of human life. It is a sad reality.

The indulgence to papists excited a ferment, especially among the puritans. A young clergyman of Oxford, named Knight, preaching at St. Peter's, maintained that "inferior magistrates had the right to order and direct the king if he did amiss;" quoting, in support of this principle, the speech of Trajan on delivering a sword to the chief of his guard: "Use this in my defence, if I govern the empire well; against me, if I govern ill." The vice-chancellor called for the sermon, and, having read it, sent the preacher to answer for himself in person before the king. The royal theologian asked him where he had learned such doctrines. He declared that he had imbibed them from the works of Paræus, a Calvinist divine of Heidelberg; had the prudence to make the necessary excuses; and was dismissed by the king with his notions re-adjusted. The king, however, thought it necessary to check opinions so heterodox and dangerous: he began by causing the works of Paræus to be burned by both universities. Oxford, for its better justification, condemned several specified opinions of Paræus as false, seditious, impious, and heretical; and issued the following declaration: — "That, according to the canon of holy Scripture, it was not lawful for the subject to resist his sovereign by

* Carte, iv. 99.

force of arms; or to make war against him, either offensive or defensive, whether for the cause of religion, or on any other pretence whatsoever." All graduates, living within the verge of the university, were further enjoined to subscribe both the censure of Paræus, and the declaration; and all candidates for degrees, to subscribe and *swear* that they did not, and *never would*, hold, teach, preach, or maintain any opinion to the contrary of the said censures and decree. His majesty's instructions of June, 1616, against the preposterous method of learning divinity, were ordered to be hung up in all chapels, halls, and colleges, for the benefit of the students, "who," says Carte, "were thus gradually *weaned* from the blind deference that used to be paid to the writings of Calvin and his disciples." His majesty's provident care did not rest here: he issued general directions, that "no preacher under the degree of a bishop or dean should deviate from the subject of his text, into any commonplace not comprehended and warranted in substance, effect, or by natural inference, in some of the articles and homilies of the church of England; nor should presume to preach in any popular auditory on the deep points of *predestination*, *election*, *reprobation*, or the *universality*, *efficacy*, *resistibility*, or *irresistibility* of God's grace; but leave those subjects to be handled by learned men, problematically and modestly, in schools and universities*:" "that no preacher should causelessly fall into bitter invectives or indecent railings against the papists or puritans," with other charges, under pain of suspension, by the bishop of the diocese, for a year and a day. It is obvious that the king, like his grandson, threw his shield over the puritans for the sake of the papists; but there is this difference, — that James I. restrained, but James II. gave, freedom. The effect was such as any man of temperate and clear judgment would have foreseen — a more violent and for-

* Carte, iv. 100.

midable outcry, not against the growth, but against the designed introduction of popery in the train of the Spanish princess. James yet persevered in the Spanish match. It has been remarked as extraordinary, that, with his constitutional timidity, he manifested no fear of the passions either of his parliament or his people. It must have been because he had not sense enough to perceive his danger. He had no more idea of insurrection or resistance among his subjects, than among his pack of hounds; — the one he thought might be clamorous like the other, and might be silenced in the same way—by chastisement. His unhappy delusion was confirmed by those criminal or misguided ecclesiastics who encouraged him in the blasphemous infatuation that he was God's vicegerent, and by such canons of spiritual and temporal slavery as the declaration of the university of Oxford. He did not live to feel the disastrous and extreme effects, which were seen in the martyrdom of his son, the exile of his grandson, and the ruin of his house.

In this unhappy spirit, James pursued the marriage of his son to a princess of a hated religion and hostile nation. At what period of the negotiation the court of Spain became sincere, or whether it was ever insincere, is uncertain. Nothing is more common, or more fallacious, than judging, or rather imagining, with the self-complacent precision and confidence of actual knowledge, the motives which, in the solitude and secrecy of their cabinets or their bosoms, have actuated courts and statesmen. Why should the court of Spain have been insincere? It was powerfully and obviously the policy of the house of Austria to bind king James to its interests. The artifices employed to obtain the utmost indulgence for the Roman catholics, and evade a direct guarantee for the restoration of the palatinate; and the prolongation of a treaty for the marriage of a princess, whilst she was yet a child; are no sufficient evidence of bad faith. What was there to make the court of Spain dissemble for so long a period, and then manifest an unquestionable and strong wish for the marriage? It

was not the journey of the prince, for the negotiation was already in substance concluded.*

* There are two letters in Rushworth (vol. i. p. 71, 72.) and the Cabala (314, 315, 316.), one from the king of Spain to Olivarez, the other from Olivarez to the king in reply, which, if admitted as genuine, would prove the insincerity of the Spanish court beyond all question. But the internal evidence of falsification seems conclusive. The following is the supposed letter of Philip IV., with the material parts of that of Olivarez: —

Fifth of November, 1622.

"The king, my father, declared at his death, that his intent never was to marry my sister, the infanta donna Maria, with the prince of Wales, which your uncle, don Balthazar, understood, and so treated this match ever with intention to delay it; notwithstanding, it is now so far advanced, that, considering all the averseness unto it of the infanta, it is time to seek some means to divert the treaty, which I would have you find out, and I will make it good whatsoever it be. But, in all other things, procure the satisfaction of the king of Great Britain (who hath deserved much), and it shall content me, so that it be not in the match."

Eighth of November, 1622.

"Sir, — Considering in what estate we find the treaty of marriage between Spain and England, and knowing certainly how the ministers did understand this business, that treated it in the time of Philip the Third, that is in heaven, that their meaning was never to effect it, but by enlarging the treaties and points of the said marriage, to make use of the friendship of the king of Great Britain, as well in matters of Germany as those of Flanders; and imagining likewise that your majesty is of the same opinion (though the demonstrations do not show so); joining to these suppositions that it is certain the infanta donna Maria is resolved to put herself into a monastery the same day that your majesty shall press her to this marriage. I have thought fit to represent unto your majesty that which my good zeal hath offered me in this occasion, thinking it a good time to acquaint your majesty withal, to the end you may resolve of that which you shall find most convenient, with the advice of those ministers you shall think fit to make choice of.

"The king of Great Britain doth find himself at this time equally engaged in two businesses: the one is this marriage, to which he is moved by the conveniences he finds in your majesty's friendship, by making an agreement with those catholics that he thinks are secretly in his kingdom; and by this to assure himself of them, as likewise to marry his son to one of the house of Austria; knowing that the infanta, donna Maria, is the best born lady in the world; the other business is, the restitution of the palatinate in which he is more engaged; for, besides that his reputation is at stake there is added the love and interest of his grandchildren, sons of his only daughter: so that, both by the law of nature and reason of state, he ought to put that forward, whatever inconveniences might follow by dissembling what they suffer.

"I do not dispute whether the king of Great Britain be governed, in this business of the palatinate, by art or friendship; I think a man might say, he used both: but as a thing not precisely necessary to this discourse, I omit it. I hold it for a maxim, that these two engagements, in which he finds himself, are inseparable; for although the marriage be made, we must fail of that which, in my way of understanding, is most necessary, the restitution of the palatinate.

"This being supposed, having made this marriage in that form as it is treated, your majesty shall find yourself, together with the king of Great Britain, engaged in a war against the emperor and the Catholic League — a thing which, to hear, will offend your godly ears; or declaring yourself for the emperor and the Catholic League, as certainly your majesty will

The visit of Charles prince of Wales, and the duke of Buckingham,—worthy, according to king James, of being "put in a new romanso*," — was more worthy, according to others, of figuring among the romantic adventures of Don Quixote: it was a wild project on the part of the prince; an adventurous stroke of policy on the part of Buckingham. King James was now grown old, and still more infirm. It stood the favourite in no less hazard than that of his fortune —perhaps of his life—to recommend himself to the successor, who hitherto regarded him with jealousy

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do, then you will find yourself engaged in a war against the king of England, and your sister married with his son; with the which, all whatsoever reasons of conveniency that were thought upon in this marriage do cease. If your majesty shall show yourself neutral, as it may be some will propound, that, first, will cause very great scandal, and with just reason, since in matters of less opposition than of catholics against heretics, the arms of this crown have taken the godly part against the contrary party; and at this time the Frenchmen, fomenting the Hollanders against your majesty, your piety hath been such, that you have sent your arms against the rebels of that crown, leaving all the great considerations of state, only because these men are enemies to the faith and the church."

The only direct testimony to the authenticity of those letters, is the assertion of Buckingham, reported by Rushworth (i. 123.), as follows: —

"By this time the prince is grown cheap and vulgar in the court of Spain, so that they will scarce bestow a visit upon him, and the conde came very seldom to him; and two letters came to the duke's hands, which showed that all that the conde did was nothing but flashes and lightning, notwithstanding he seemed, at this time, to be in a good humour, and told the duke that now, certainly, it must be a match and the devil could not break it. The duke replied, he thought so; and the match had need be very firm and strong, it had been seven years in soldering. The conde denied, and said plainly it had not been really intended seven months; and said, I will fetch that out of my desk that shall assure you thereof; and so produced two letters, the first was written with the king of Spain's own hand, dated the 5th of November, 1622, and the other from the conde Olivarez, of the 8th of November, 1622."

It is notorious, and admitted, that Buckingham, in his statement to both houses respecting the Spanish match (Rushworth, i. 117.), misrepresented facts, and garbled and falsified the dispatches of lord Bristol (Compare his statement with the dispatches in Hard. St. Pap., vol. i.). His testimony, therefore, in his own favour, is unworthy of credit. On the other hand, is it credible, that Philip and his favourite minister came to an understanding in November 1622 on this subject in writing—that they wrote precisely what it suited the duke of Buckingham they should write, like two persons in a play speaking for the audience, as the reader will presently find, —and that Olivarez should exhibit such flagrant evidence of the bad faith of his court to Buckingham? Wilson, who has given the king's supposed letter (apud Kennet, 759.), says it was found among lord Cottington's papers; but whether upon lord Cottington's flight from England in 1648, or on his death in Spain a few years after, he does not state.

* Hard. State Papers, i. 399.

and displeasure.* Lord Clarendon has told minutely how this journey originated. Charles loved adventure†; which, to the heir apparent of a throne, was like liberty to a captive. Buckingham worked upon his imagination, by depicting the hardship of princes, who must never see their wives till after they have married them, whilst the humblest of their subjects were at liberty to choose: the gallantry of such a visit to his mistress — who could not fail to be charmed by it; and the impulse which his presence would give to the negotiations. The prince entered eagerly into the project, the secret of which they kept strictly between them. It was much, to be the prince's confidant in planning, and his companion in executing, the design: but Buckingham further sought to rob the earl of Bristol of the credit and advantage of negotiating the marriage, and recommend himself, as its author, to the future favour of the princess. The first step was to obtain the consent of James. It might appear easy for a son and favourite to obtain any compliance from a weak father, and still weaker monarch. But James was shrewd, and adroit; and never hesitated, when it suited his purpose, to deny or break his word. They, however, concerted their measures with a perfect knowledge of his character. The prince opened, by telling his father he had an object at heart, upon which his happiness depended; but that he could not communicate it without a promise from the king, to decide upon it without communicating with any other person whatsoever. James, conceited of his wisdom, and curious to know the secret, gave the required pledge. Having watched their opportunity until they found him in a favourable disposition, the prince threw himself on his knees and made his request, whilst Buckingham stood by and studiously observed silence. James made objections, and looked to Buckingham for his opinion. The favourite merely said that a refusal would be a deep affliction to his son; the prince expatiated upon the advantages of

* Clar. i. 28. † Ibid.

his journey in hastening his marriage; and the king gave his consent with more facility than they expected. Hitherto they spoke only of the prince's going to Spain; they now told him their plan of travelling in disguise, with only each an attendant. James was no sooner left to himself, than he became sensible of his imprudence. When the prince and Buckingham next presented themselves, he begged them, "with tears and passion," according to Clarendon, to release him from a promise which would break his heart; and laid before them the perilous hazards and certain inconveniences of their journey; ending, as he had begun, with sighs and tears. The prince merely reminded him of his solemn promise; whilst Buckingham, who now took the lead, rebuked him with the rudest insolence—telling him that his word was not to be taken for any thing; that this breach of his promise proceeded from another breach—"in communicating with some rascal who had furnished him with his pitiful reasons." James, after denying, with tears and oaths, his having communicated with any person, renewed his consent. It is not easy to decide which was more disgraced by the insolence of Buckingham,—the sovereign to whom it was addressed, or the son by whom it was countenanced. But Charles I. had not alone the despotic temper of the house of Stuart; he had, in common with his father and his sons, its baseness of spirit. Buckingham had more than once threatened his person with outrage, and treated him with the grossest contumely in the language of the rabble. They named sir Francis Cottington and Endymion Porter, who both knew Spain, to be their attendants. The king was pleased with the choice; called in Cottington; and, after expressing confidence in his sense and honesty, said, "Cottington, here is baby Charles and Steeny (so he always called the prince and the favourite), who have a great mind to go by post into Spain, to fetch home the infanta, and will have but two more in their company, and have chosen you for one: what think you of the

journey?" Cottington, by his own account*, trembled and could not speak. The king commanded him to speak; and, having found the use of his tongue, he spoke earnestly against the journey: upon which the wretched king fell into new lamentations, saying, "I told you this before; I am undone: I shall lose baby Charles."† The prince and favourite were enraged at Cottington. Buckingham loaded him, according to Clarendon, with reproaches and menaces; "which put the king into a new agony on behalf of a servant who, he foresaw, would suffer for answering him honestly: upon which he said, with great commotion, 'Nay, by —— (his majesty was an habitual swearer), Steeny, you are very much to blame to use him so; he answered me directly to the question I asked him, and very honestly and wisely.'" The king saw plainly that the whole affair was contrived by Buckingham; and yet not only bore the insolence of the favourite, but gave his consent. This scene, related upon such authority, is less important as part of the history of the journey to Spain, than as it proves that Buckingham was king of England in all but the name, and that both James and Charles were as unworthy as they were unfit to rule a great and free people.

The two knight-errants set out, on the 11th of February, 1623, from Newhall in Essex, disguised with false beards, and the names of John and Thomas Smith; provoked suspicion on their way; and were obliged, in one instance, to extricate themselves by Buckingham's unmasking; crossed the Channel, and travelled rapidly to Paris; spent a day in seeing the French capital and the court, as John and Thomas Smith; saw the princess Henrietta dance, without any particular emotion on the part of her future husband; proceeded to Bayonne, where they were suspiciously examined, but courteously allowed to pass by the count de Grammont, who saw that they were persons of higher condition than they pretended; entered Madrid at night; and were admitted

* Clar. 30. † Ibid. 31. ‡ Ibid. 32.

with some difficulty, by their borrowed names, on the evening of the 7th of March, to the presence of lord Bristol. The ambassador was scarcely taken by surprise: suspecting their purpose from some expressions of Gondemar, he had sent off a messenger with despatches, strongly advising that the prince should not come. The prince and Buckingham met his courier immediately after they had passed the frontier at Bayonne, and opened his despatches; but were unable to discover the material part, written in cipher, to which they had no key.* On the morning after their arrival, they sent for Gondemar, who presented Buckingham to the king of Spain. Olivarez, who accompanied Buckingham back, complimented the prince in the name of the king. Neither prince nor sovereign could be received with livelier signs of joy, higher honours, more gorgeous magnificence. The king in council made an order, that, upon all occasions of meeting, the prince should precede him; that he should make his public entry into the palace with the same state as the kings of Castile on the day of their coronation; that a section of the palace should be assigned for his residence; that 100 of the guard should attend him; that the council should receive his orders as the king's. The prisons were emptied in honour of his visit, and vacant offices were placed in his gift. On the second day after his arrival, it was arranged that he should see and be seen by the infanta. The king, the queen, the princess, and other members of the royal family, under the pretence of visiting a monastery, met the prince whilst taking the air, by previous arrangement. The prince was still regarded as being present incognito; but it was a private meeting, says Buckingham, before all the world†, the court, the nobles, the foreign ministers of France and of the empire, and the pope's nuncio. The princess, distinguished by the concerted signal of a blue ribbon round her arm, unmasked, under pretence of conversing with the king for some mi-

* Hard. State Papers, i. 403. † Ibid. 408.

nutes, within sight of the prince; but they did not yet salute each other. Olivarez joined them in their carriage, and took Buckingham to the king. "We found him," says Buckingham, "walking in the streets, with his cloak thrown over his face, and a sword and buckler by his side." He "leaped into their coach," and went to see "the wooer."* On the 26th, the prince made his public visit to the court on horseback, on the king's right, under the same canopy, in splendid procession; was received by the queen of Spain, with an invitation to sit in a chair of state, on her right, whilst the king sat on her left hand, and, after half an hour, retired to his quarter of the palace. Here the king took precedence of him, because he was at home. He did not yet visit the infanta; but she sent him a present of "rich hangings, with a jewel." The queen presented him with gloves, perfumes, jewels, and a night gown; the king sent him a basin and ewer of gold set with jewels, and two gold keys, which would admit him at all times to his presence. The prince's apartments were furnished with the same magnificence as those of the king, and he was attended with the same formalities by state officers and grandees of the first rank. These circumstances may appear trivial common-places, unworthy to be mentioned; but they are traits of manners, and they were not without an object. The court of Spain thought to dazzle the imagination of the prince by all this pomp, whilst attempts were making, at least indirectly, to bring him over to the church of Rome. There is a passage in one of the first letters of the prince and Buckingham, from which this purpose may be inferred, and whence it would appear that it was not wholly unsuccessful. "We make," say they, "this collection, that the pope will not be very loth to grant a dispensation; which if he will not do, then we would gladly have your direction how far we may engage you in the *acknowledgment of the pope's special power;* for we almost find, if you will be con-

* Hard. State Papers, i. 402. Lett. of the prince and Buckingham to king James.

tented to acknowledge the pope chief head under Christ, that the match will be made without him."* This infatuated or giddy question, affecting no less than the laws, religion, and sovereignty of the realm, startled the king; and, eager as he was for the match, he rejected the lure of an immediate marriage at the price of acknowledging the pope's supremacy.† But yet, with such experience of the levity of his son and his favourite, he gave them two pledges, which almost divested him of his regal authority: the first, that he would keep their communications with him secret from his council ‡; the second, his pledge, on the word of a king, to perform all the prince should promise. § The letter respecting the acknowledgment of the pope as chief head under Christ, is

* Hard. State Papers, i. 402, 403.

† Hard. State Papers, 411. "I know not what ye mean by my acknowledging the pope's supremacy. I am sure ye would not have me renounce my religion for all the world; but all that I can guess at your meaning is, that it may be ye have an allusion to a passage in my book against Bellarmine, where I offer, if the pope would quit his godhead and usurping over kings, to acknowledge him for the chief bishop, to which all appeals of churchmen ought to lie *en dernier resort:* the very words I send you here enclosed: and that is the furthest that my conscience will permit me to go upon this point; for I am not a Monsieur, who can shift his religion as easily as he can shift his shirt, when he cometh from tennis."

The following is the passage to which he alludes, and it is somewhat enigmatical:—

"And for myself, if that were yet the question, I would with all my heart give my consent that the bishop of Rome should have the first seat; I, being a Western king, would go with the patriarch of the West. And for his temporal principality over the signiory of Rome, I do not quarrel it neither; let him, in God's name, be *primus episcopus inter omnes episcopos, et princeps episcoporum*, so it be no otherwise but as St. Peter was *princeps apostolorum.*"

‡ Ellis, Orig. Lett. iii. 139.

§ The following short letters from the prince and Buckingham, and a single sentence from the king's answer, will show how inconsiderately this power was asked and given:—

Prince Charles to King James.

"SIR,—I do find, that if I have not somewhat under your majesty's hand to show, whereby that ye engage yourself to do whatsomever I shall promise in your name, that it will retard the business a great while; whereby I humbly beseech your majesty to send me a warrant to this effect—

"*We do hereby promise, by the word of a king, that whatsoever our son shall promise in our name, we shall punctually perform.*

"Sir,—I confess that this is an ample trust that I desire, and if it were not mere necessity I should not be so bold; yet I hope your majesty shall never repent you of any trust you put upon

"Your majesty's humble and obedient son and servant,

"Madrid, "CHARLES."

the 29th of April, 1623."

Duke of Buckingham to King James.

"DEAR DAD AND GOSSIP,—This letter of your son's is written out of an

interesting in another point of view,—its connection with the charge made in the next reign by Bristol, against Buckingham, of having plotted, with Gondemar, the prince's journey to Spain for the purpose of bringing about his conversion to the church of Rome. Bristol was an enemy, inspired by ambition and revenge; but Buckingham, with the impetuosity of his temper and presumption, was capable of any extravagance.

It would be idle to follow the course of a negotiation which shifted with every despatch, respecting a marriage which did not take place. James sent out the prince's state and household officers, with money and jewels to equip himself as a prince. His folly brought its own punishment. He trembled for his son's safety; he trembled for the match; he called the lord-keeper Williams to his relief, when the advice of that sagacious and adroit person could no longer be of use to him. Williams, who knew the English favourite personally, and the Spanish favourite by repute, predicted a quarrel.* The popular alarm for the prince's personal safety; the equal, if not greater, alarm for his spiritual welfare; the violent repugnance to a popish, and, above all, a Spanish marriage; irritated still more the nervous

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extraordinary desire to be soon with you again; he thinks, if you sign thus much, though they would be glad (which yet he doth not discover) to make any further delay, this will disappoint them: the discretion of your baby you need not doubt; and for the faith of myself, I shall sooner lose life than in the least kind break it. And so, in haste, I crave your blessing.

"Your majesty's most humble slave and dog,

"Madrid, "STEENIE."
the 29th of April, 1623."

King James to the Prince and Duke.

"I now send you, my baby, here enclosed, the power you desire. It were a strange trust that I would refuse to put upon my only son, and upon my best servant."

* "When," says Coke, "it had taken vent, the king asked him what he thought, whether the knight-errants' pilgrimage would prove lucky to win the Spanish lady, and convey her shortly into England? 'Sir,' answered the lord keeper, 'if my lord marquess will give honour to Condé duke Olivarez, and remember he is the favourite of Spain; or if Olivarez will show honourable civility to my lord marquess, remembering he is a favourite of England; the wooing may be prosperous: but if my lord marquess should forget where he is, and not stoop to Olivarez; or if Olivarez, forgetting what guest he hath received with the prince, bear himself haughtily and like a Castilian to my lord marquess; the provocation may be dangerous to cross your majesty's good intentions; and I pray God that one or both do not run into that error."—*Detection*, p. 132.

anxiety of the king. The puritans, in defiance of the his inhibition, thundered against the prince's journey, and its object, from their pulpits. By way of reducing them to silence, he ordered the clergy not to prejudge the prince's journeys in their prayers.* He found it necessary to imprison a few disobedient ministers.† Some virulent pamphlets issued, in defiance of the star-chamber, from the press. He took every precaution for the safety of his son's religion. Two chaplains, Wren and Mason, were sent out to attend him; charged not only with all that was necessary to fit up a chapel with suitable dignity, but with several copies of the Thirty-nine Articles and Book of Common Prayer in Spanish, and his majesty's own writings in English and Latin.‡ The Spanish court assuredly had hopes of the prince's conversion. He was surrounded and assailed by the Spanish clergy with every artifice of reasoning and sophistry. The pope addressed him a complimentary letter, recommending to him the pious example of his ancestors; and addressed a letter at the same time to Buckingham.§ The prince replied to the former, with what was rare, if not unique, in the religious disputes of that and most other ages — moderation and good manners; and answered the pope's epistle in a Latin letter, which lord Clarendon has justly described as more than a letter of compliment.‖ He appears to have really won the hearts of the Spaniards, by the gallantry of his visit to see the princess, his generous confidence in the honour of the Spanish nation, the comeliness of his person, his decorous and engaging manners, and his princely munificence. The king of Spain treated him with the affection as well as the title of a brother.

* A private letter (Ellis's Orig. Lett. iii. 137, 138.) says, "I'll tell you a jest. The bishop of London, you know, gave order from his majesty to the clergy, not to prejudicate the prince's journey in their prayers, but only to pray God to return him home in safety again unto us, and no more. An honest plain preacher being loth to transgress the order given, desired, in his prayer, 'That God would returne our noble prince home in safety again to us, *and no more*:' supposing the words *no more* to be a piece of the prayer enjoined; whereas the bishop's meaning was, they should use no more words, but that form only."

† Carte, vi. 20

‡ Carte, iv. 105.

§ Id. ibid. Rushworth, i. 80.

‖ Hard. State Papers, i. 458.

The Spanish council of state endeavoured to obtain from the prince conditions more favourable to the Roman catholics than had been settled with Bristol; and the death of Gregory XV. rendered it necessary to return the papal dispensation for the approval of the new pope, Urban VIII. These delays cast some passing shades over the tempers of the parties at Madrid.* At length the terms were substantially agreed to, and the prince was admitted to the society of the bride. The conditions of the treaty, as ultimately settled, were —that the infanta and her household should have a chapel duly provided in the palace of St. James's; that she should fill up the vacancies in her household, but from the king's subjects, and with his approbation; and that she should have the care of their children to their twelfth year. These were the public articles: the private, and more interesting, were—that no attempt should be made to convert the princess; that no new penal laws should be enacted against Roman catholics; that their worship should be permitted in private houses; and that the king should use his endeavours to effect a repeal of the existing penal laws by parliament. On Sunday, the 18th of July, the king pledged himself, by oath, to those articles on his part, public and private, before the Spanish ambassador, the lord keeper Williams, and archbishop Abbot. Of the presence of Abbot there cannot be a doubt. "Our great primate," says the king†, "hath behaved himself wonderfully well in this business, insomuch as my lord keeper says he will love him the better while he lives for it." It is difficult to reconcile with this conduct of Abbot, the well-known letter in his name to the king. The letter is given as authentic in the Cabala, and in the collection of Rushworth; but yet its authenticity may well be questioned, with Carte.‡ The king's confidence was

* Charles was said to have been so apprehensive of his detention by the Spanish court, that he sent "a heroic message" to his father, to forget he had a son, and think only of his daughter and his crown. — *Rush.* i. 103.

† Hard. State Papers, i. 423. ‡ Carte, iv. 108.

such, that he said to his courtiers, the match might now defy all the devils in hell. The two Spanish ambassadors in London—the marquess Inojosa, and dòn Carlo Colonna—instigated by the catholics, who had little faith in the king's oath, demanded that pardon and immunity to the catholics should be declared by proclamation. A proceeding so imprudent and dangerous was prevented by the lord keeper Williams; and pardons were issued individually to catholics, who were to produce them when molested.* The Spanish ambassador laid the first stone of a chapel for the Spanish princess, and a fleet was prepared to bring her to England. †

The king's obligation on oath to perform the articles did not satisfy the ecclesiastical council at Madrid. The pope desired a guarantee of his pledges in favour of the catholics, and the dispensation was not yet come. Philip proposed to the prince to prolong his visit to Christmas, when he might be accompanied by his bride to England. The prince pleaded his father's orders to return within a shorter period. He, at the same time, expressed his anxiety to be married without delay, and accompanied home by his bride. The immediate departure of the infanta was peremptorily refused. At last, the king of Spain, who evidently and eagerly desired the match, became guarantee to the pope for the fulfilment of the articles on the part of James; and it was arranged that the contract should be signed on the 24th of August — the birthday of the infanta; the marriage to be solemnised in ten days after the arrival of the papal dispensation, daily expected.

The infanta now appeared with the prince in public, and at the theatre. She was addressed and took precedence as princess of England. The prince, to her surprise, produced a letter from his father, peremptorily commanding his return with the princess, if possible; if not, without her. It was now settled that the nuptials should be solemnised by proxy within ten days after the dispensation should

* Rush. i. 101. † Id. 90.

have arrived, and the infanta should be conveyed to England in the following spring. The prince fixed for his departure the 9th of September. Two days before, the king of Spain and the prince bound themselves by oath to observe this contract; and the prince placed his "proxy irrevocable," to be used on the receipt of the dispensation, in the hands of lord Bristol, who was to deliver it to the king. His departure on the 9th was signalised by the utmost display of splendour and gallantry, and by the strongest expressions of friendship and affection. The king, the queen, the infanta, escorted him from Madrid to the Escurial. Philip accompanied him on to Guadarama, where they took leave of each other with mutual effusions of affection. Philip said he had not words to express his sense of the generous confidence manifested by the visit. Charles, on his part, was equally unable to express all he felt for the honours which he had received, and trusted for an interpreter to his most fair and most dear mistress.* An English squadron, under the command of the earl of Rutland, waited at St. Andero to receive the prince. Whilst on his way to England, the beautiful catholic purchased masses, and made vows and oblations to her tutelary saints, not for the conversion, but for the safety, of her heretic lover.

Charles did not merit the tender piety of the Infanta. He began thus early to practise the dissimulation and perfidy which marked his character: he pledged his oath to a marriage-contract with the settled purpose of not performing it; he left in the hands of lord Bristol a "proxy irrevocable," with a revocation already prepared in his portfolio; he was, in fine, perjured, both as a lover and a man. It is necessary to glance once more at the course of the negotiations.

Buckingham carried with him into Spain the vulgarity of the court of king James, with the presumption of an upstart court minion. The Spaniards, severe observers of etiquette, were shocked by his familiarity with the prince, and disgusted by his insolence to lord Bristol, a man of

* Rush. i. 104.

sense and experience, who knew the art and the necessity of respecting national usages and character. The meetings between him and Olivarez soon became hostile collisions. Some have imputed this to his having made advances to the wife of the Spanish minister, who, in concert with her husband, avenged herself by a contrivance curious alike for its ingenuity and malice. Buckingham, with his presumption, and the shameless facility to which he was accustomed in the English court at this period, is very likely to have provoked it. He certainly disgusted the Spanish court by both his manners and morals.* They manifested surprise that a young man, without talents, dignity, or credentials, apparently nothing more than the personal attendant of the prince,

* There are some difficulties in the story respecting the countess Olivarez. Some have described her as neither beautiful nor young; others as one of the reigning beauties of the Spanish court. But Olivarez was three times married (Dict. Hist., in which the dates of his marriages are not given). There is a postscript of a letter from Sir W. Aston to Buckingham (Cabala), which would imply, that Buckingham and the lady parted friends. — "The condessa Olivarez," says he, "bids me tell you, that she kisses your grace's hands, and doth every day particularly recommend you by name in her prayers to God." Buckingham himself, writing to James (Hard. State Papers, i. 434.), says, "from him (Olivarez) I repaired to his lady, who, I must tell you by the way, is as good a woman as lives." These citations leave the matter of gallantry nearly as doubtful as before. But the man who had intrepidity enough to make a declaration to the queen of France (Anne of Austria) soon after, would not scruple to address the wife of the prime minister of Spain. His scandalous behaviour at the Spanish court is better attested. The earl of Bristol, in the 9th article of his charges against Buckingham in the next reign (Rush. 262.), accuses him of having given scandal, by making his influence with the king of Spain in the disposal of favours and offices subservient to his profligacies. Somerset, in his letter to king James, which will be presently referred to, sums up the offences of Buckingham at the court of Madrid, in terms, of which the substance only can be cited: — "Let your Majesty," says he, "inquire of those that came out of Spaine, who did there give the first cause of falling out: whether the complaints against the K. of Spaine, so often repeated, be true or no? whether that foresayd K. were not desirous to satisfye the desires of the Princes Highnes? whether he did not faithfully endevor to effect the mariage? whether the D. of Buck. did not many things against the authoritie and reverence due to the most Illustrious Prince? whether he were not wont to be sitting, whilest the Prince stood, and was in presence, and having also his feete resting upon another seat after an undecent manner? whether, when the Prince was uncouvered, whilest the Queene and the Infanta looked out of the windowes, he uncouvered his head or no? whether sitting at table wth the Prince, he did not behaue himselfe unreverently? whether he were not wont to come into the Prince's chamber with his clothes halfe on? whether he did not call the Prince by ridiculous names? whether he did not dishonr and profane the King's palace with base and contemptible women? . . . whether he did not affect to sitt at playes presented in the King's palace, after the example of the King and Prince, being not content wth the honor whch is ordinarily given to the High Steward (or Major Domo) of the King's House?" — *Archæol.* xvii. 280.

should pretend to the chief direction of the negotiations. Buckingham resolved to be the equal of Olivarez, who called himself count-duke as his title of nobility. Secretary Conway, his creature, who began his letters to him with "Gracious patron," suggested to James the necessity of raising his favourite to an equality with the Spaniard, and he made Buckingham a duke. This title hitherto was borne only by the princes of the reigning family. This new dignity only rendered him still more offensive. Lord Bristol tells lord-keeper Williams, that the Spaniards declared they would sooner throw the infanta into a well than place her in the hands of Buckingham.* It would not be an unreasonable inference, that the personal aversion of the Spaniards to Buckingham was the cause of their refusal to allow her departure before the following spring. Lord Bristol says, in one of his despatches to the king, "The truth is, that this king and his ministers are grown to have so high a dislike against my lord of Buckingham; and, on the one side, to judge him to have so much power with your majesty and the prince, and, on the other side, to be so ill affected to them and their affairs, that if your majesty shall not be pleased, in your wisdom, either to find some means of reconciliation, or else to let them see and be assured that it shall in no way be in the power of my lord of Buckingham to make the infanta's life less happy unto her, I am afraid your majesty will see . . . . . the great business now in treaty prosper but ill."† They well knew the strife between Buckingham and Bristol, and expected that the latter, whom they respected, might in the mean time obtain the ascendant.‡

Buckingham's presumption was humiliated by the Spa-

* 1 Cabala, 94. † Hard. State Papers, p. 477, 478.

‡ Other persons in the prince's train grossly misconducted themselves. "Sir Edmond Verney," says Rushworth (i. 101.), "struck an Englishman, a Sorbonne doctor, a blow under the ear, for visiting and labouring to pervert one of the prince's pages, who was sick of a mortal fever." The intrusion of the priest was an impertinence growing out of bigot zeal, but the act of Verney was at once imprudent and unmanly. "Divers," continues Rushworth, "derided the popish ceremonies and Spanish garb, and

nish courtiers with the grave pride and satirical humour of their country. He saw, at the same time, that the dislike of the infanta might be the ruin of his fortune. His creatures in England apprised him that his enemies at home were working against him.* Not only the fortune but the life of Buckingham was supposed in peril. "The nobility," says a private letter of May 17.†, "are said to be so much incensed against the marquess as to threaten but a bloody greeting if ever he return again." He was thus instigated by resentment and his safety to break the match. His parting with Olivarez was an open declaration of hostilities. "I shall always," said Buckingham, "be the humble servant of the king, the queen, and the princess; but never yours." The Spaniard replied, that "he accepted the compliment."‡

The prince had manifested attachment to the princess. He transgressed the bounds of Spanish etiquette, and a high wall, to obtain a sight of her.§ How Buckingham dissuaded him from the marriage does not appear. His first words were, when he found himself safe on board, that "the Spaniards were fools to let him depart freely, after having used him so ill."‖ Buckingham could scarcely have succeeded in persuading him that he was ill used. Charles was no simpleton, but he was a hypocrite. His conscious treachery

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slighted the country, and some committed irreverent actions in the king's own chapel." It is obvious that the Spaniards acted with great forbearance.

* Rush. i. 102.

† Ellis's Original Letters, iii. 150. ‡ Rush. i. 103.

§ "Not long since, the prince, understanding that the infanta was used to go some mornings to the *casa de campo*, a summer-house the king hath the other side of the river, to gather May-dew, he did rise betimes, and went thither, taking your brother Endymion Porter with him; they were let into the house and into the garden, but the infanta was in the orchard, and there being a high partition wall between, and the door doubly bolted, the prince got on the top of the wall, and sprung down a great height, and so made towards her; but she, spying him first of all the rest, gave a shriek, and ran back. The old marquis, that was then her guardian, came towards the prince, and fell on his knees, conjuring his highness to retire, in regard he hazarded his head if he admitted any to her company; so the door was opened, and he came out wall over which he had got in."—*Howell's Letters.*

‖ Rush. i. 104. Lord Kensington's letter (Cabala, 293.) to Buckingham.

to the king and princess of Spain, and the design concerted between him and Buckingham to complain of ill usage on their return, drew from him this expression.

The prince and Buckingham landed at Portsmouth on the 5th of October. The nation was thrown into an ecstasy of joy. Public thanksgiving took place without waiting orders, and London blazed with bonfires on his arrival. It seemed as if he had escaped personal danger the most imminent. The popular alarm for his safety, growing out of the prejudices of religion and nation, were excusable and natural; but there can be no excuse for the fears of Charles himself, unless in the craven temperament which he inherited from his father. His dissimulation and perjury are to be accounted for only by his fears. But what motive had the Spaniards for touching his safety or his freedom? They could not coin his body into ducats. His death would have opened the succession to the princess palatine; his captivity as a hostage would have made her regent on the king's death: in either case, whether she were heir apparent, queen, or regent, a war with England, and most other protestant states of Europe, against Spain and the empire, was most likely to follow. But this view of the situation of the prince is an injustice to the Spanish character. The Spaniards have never forfeited, in Europe, the reputation of a chivalrous sense of the obligations of hospitality and honour. It may be added, and has been shown, that the temper of the court and of the people was severely tried by Buckingham and other followers of the prince. Yet no Englishman received the slightest offence, even from the populace. Their attempts to gain over the prince to their religion, and their employing the artifices of diplomacy, were natural and allowable; such assaults were not to be complained of or condemned, but met with equal adroitness in the use of similar arts.

The superior capacity and character of Bristol overawed Buckingham and the prince in their grovelling policy. The prince, in order to have the king wholly

in their hands on their return, desired James to command Bristol's stay behind them in Spain.* He was able to embarrass them, even at that distance. They were still in Spain, on their way to St. Andero, when he received the prince's revocation of the proxy. A person named Clarke, in the suite of Buckingham, after he had attended them only a few posts, returned, under some pretence, to reside at the house of the earl of Bristol, charged with the letter of revocation, which he was to place in the hands of Bristol, upon the arrival of the papal dispensation. Whilst Charles and Buckingham were still at St. Andero, the receipt of the dispensation unconditional was announced at Madrid, and Clarke immediately delivered the letter to Bristol. The pretence of the revocation was the prince's fear that the infanta, immediately after the marriage by proxy, would retire to a nunnery.† Never was a weaker pretence. The princess had not, at any time, manifested a disposition to be a nun, and was said to have laughed at the very idea, when mentioned to her by the countess of Olivarez. The intelligence of the dispensation was premature, and perhaps contrived. Bristol, keeping the revocation secret, despatched a courier with the utmost speed to the king, stating the circumstances of the proxy and revocation, and desiring authority to deliver the proxy, upon having an assurance against the retirement of the bride to a monastery. The prince's revocation would, he says, if known, give deep offence to the king of Spain and the princess. The prince and the favourite, thus pressed, dictated to the king orders for Bristol to deliver the proxy at Christmas, "that holy festival being most suitable to the blessed ceremony of marriage." Bristol exposed to the king the shallow mockery practised upon him, by telling him that the proxy, as Buckingham and the prince well knew, would expire before Christmas. The revocation of the proxy, meanwhile, was kept secret, the pope's

* Ellis's Original Letters, iii. 149.
† Hard. State Papers, i. 480, 481. (See note * pp. 331, 332. antè.)

willingness to grant a full dispensation was communicated from Rome, the document itself arrived in a few days, the marriage preparations were begun, the church was ornamented, the infanta had the bridal dresses and her presents for the bridegroom ready, the king's orders were issued to prepare for a national rejoicing, it wanted only a few days of the 9th of December (new style), the day * fixed for the ceremony, and Bristol had written to the king, that having obtained full security against the bride's flight to a convent, he should consider himself bound to deliver the proxy, unless he received counter orders. Buckingham and the prince, now driven to extremities, again dictated to the king an order for Bristol to withhold the proxy, demand of the king of Spain a guarantee for the restoration of the palatinate, if necessary, by arms, as a condition of the marriage, and prepare for his own return, by easy stages, to England. The arrangements for the marriage proceeded, with entire confidence, in Spain, to the 26th of November, old style (6th of December, new style), wanting only three days of the celebration of the nuptials, when three English couriers arrived, in breathless haste, with the counter orders, above mentioned, from the king.

It is to be recollected, that Bristol had express instructions not to make the marriage contingent upon the restitution of the palatinate †; that his instructions were, to pursue the two negotiations separately ‡; that the king of Spain gave him the fullest assurance of the restoration of the palatinate, on the understanding of a marriage between the emperor's daughter and the young prince palatine, who should be brought up at the imperial court; and the Spanish minister said, with the full acquiescence of Bristol, that it was their interest, not less than the king's, to settle the business of the palatinate, for otherwise they

* Hard. State Papers, i. 488, 489. † Id. Rush. i. 106.

might give a princess in marriage, and immediately after have a war, with England.*

The king of Spain and his ministers were shocked at this new demand; yet answered, with temper, that the king was still prepared to fulfil his pledge already given, but that he would not have a pledge to make war upon the emperor, his kinsman, extorted from him by menace; that it would affect the honour of his sister, whom he would not thrust upon the prince of Wales. So desirous was the court of Spain for the marriage, that the king of Spain guaranteed the restoration of the palatinate, in the letter addressed to James, in the form of an answer to a letter of James to him, which Bristol was to produce before he received the Spanish document. But, at the same time, the infanta dropped her title of princess of England and the study of the English language; the Spaniards prepared for a war, and the earl of Bristol made his arrangements for leaving Madrid.† The estimation in which he was held by the Spanish court was rather increased than diminished by the failure of the marriage treaty. Olivarez told him, on the eve of his departure, that the king of Spain, aware of the danger which threatened his life in England, would write a letter or send a special envoy in his favour to king James; or that he would give him a *carte blanche* as to fortune and title, if he chose to remain in Spain—his honour being expressly cleared in the patent, by a declaration that the king of Spain rewarded him for his fidelity to his own sovereign, as an example and encouragement to all faithful subjects.

* Hard. State Papers, i. 485. Rush. 106.

† "As for my departure," says Bristol, in his letter of November 26. O. S. to the king, "from this court, it shall be with all speed to cast myself at your majesty's feet, where I am no way diffident to appear, an honest and faithful servant. Though, being engaged for more than 50,000 crowns for the prince, and all my wife's jewels at pawn, and having no means nor credit in this side of the sea, for a quarter of the money which is necessary for my journey, I humbly beseech your majesty to take it into your consideration, that your ambassador's going from this court may not be like a running away in debt, and leaving his wife and children in pawn; but rather than fail punctually to obey your majesty's commandments, I will come home on foot."—*Hard. State Papers*, i. 489.

Bristol replied, that he only did his duty; that he trusted to his innocence against his enemies, however powerful; and that he would rather go to England, in obedience to the duty and honour of a faithful subject, than be a duke or an infantado of Spain.* A purse of 10,000 crowns was privately offered in the name of Philip, in the contemplation of his being subjected to the forfeiture of his property. "Nobody," said Olivarez, "shall know of this." "Yes," replied the ambassador, "there is one who would know and disclose it to his sovereign, — the earl of Bristol." These were offers which might tempt another man in his situation. His conduct was fearless and disinterested.

Bristol has been censured for his zeal in promoting this Spanish match; and he doubtless saw in it the advancement of his fortunes. It was assuredly impolitic, for this simple and sole reason,— that it was repugnant to the feelings and opinions of the English nation. But no marriage could have been more impolitic, for the same reason, than that which almost immediately succeeded,—none more disastrous in its influence. It would be easy to produce reasons for preferring, at this period, a Spanish to a French alliance. There remained, it is true, the protestant reigning houses of Germany. The marriage of the princess palatine was a lesson even there upon the imprudence of embroiling England in the petty interests of the protestant petty sovereigns of the empire. Bristol has been censured for entering into the arrangement of educating the young prince palatine in the imperial court, to the manifest danger of his protestantism in a court so catholic. Viewing the religious education of the prince merely as a politician, he may have thought it a political consideration, in the midst of great interests, very subordinate.† But whatever

* Rush. i. 113.

† Bristol, in his vindication (Hard. State Papers, i. 505.), makes the following defence of this part of the negotiation: —

"He saith, that the breeding of his majesty's grandchild with the em-

suspicion may be entertained of Bristol's having been influenced in his public conduct by his personal ambition, there can be none as to the capacity with which he conducted the negotiation. He was, perhaps, the only English minster of the day competent to the management of public affairs. The lord-keeper Williams was an ambitious churchman and politic courtier, without any pretension to statesmanship. Cranfield, earl of Middlesex, was a clever adventurer, expert and fertile in expedients, not measures, of finance. The sagacious Gondemar, after his experience of the English court, said, that in England there were many people but few men. Bristol was one, and perhaps the first of those few; yet was he kept under, in the reigns both of James and Charles, by a dissolute and incapable court favourite, Buckingham.

The king's dissatisfaction with Buckingham during his absence in Spain * did not escape the keen eyes of the courtiers. They looked upon the favourite as tottering. Of those who anticipated, and therefore aided his expected fall, the chief persons were Williams, the lord-keeper, and Middlesex, the lord-treasurer. Among the means employed for his overthrow was the restoration of Somerset. This part of the intrigue has not

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peror, as he remembereth, was never propounded to him, but in the presence of such (the prince and the duke of Buckingham), as befitted not him to reject or accept of it; but when the match for him, with the emperor's daughter, hath been singly at any time propounded to him, he hath faithfully represented it to his majesty. But for the inference, that by the parenthesis is made (that his conversion was thereby implied), he never imagined it, nor seeth ground for it. For, if the meanest princess in Christendom matcheth with the greatest monarch, c apitulation for the full use of her conscience, he knoweth not upon what ground it is supposed that it should have debarred the king's grandchild; neither ever understood he but he should have had his family such as his majesty, and his father, had appointed for him; and this may less be inferred, as he supposeth, in the emperor's court than in any court of Christendom; for that he remembereth the young prince of Anhalt, being the emperor's prisoner, and after being set at liberty, but with condition to continue in the emperor's court, the free use of his religion was not denied; so, likewise, two of the dukes of Saxe, who were in the emperor's service, and divers others, both counsellors and of his bedchamber, and of his chief commanders in the wars, are avowed protestants; and in Vienna, itself, there is a congregation of 14,000 or 15,000, which publicly and avowedly have the free use of their religion."

* Clar. i. 31.

been brought to light; but it is apparent, from a recently discovered letter of Somerset, that he was in communication with James on the subject of impeaching Buckingham.* It was suggested to the king that Buckingham broke off the Spanish match with the design of marrying his eldest son to the daughter of the elector palatine, who had, in point of fact, sent him a letter to Madrid dissuading him from the marriage.†

The mind of James was a feeble fluctuating medium, which readily received an impression, but did not retain it. After having, under the united influence of his son and his favourite, despatched to Bristol orders which were equivalent to breaking off the marriage treaty, he yet summoned his counsel, and propounded to it two questions; *viz.* Whether the king of Spain was insincere in the negotiation? Whether a provocation to war was given by him? The council unanimously acquitted the Spanish monarch of bad faith, and, by a majority, decided against hostilities.‡ Buckingham, presuming on his sway over the weak king and his worthless son, paced the council room, and vented his disappointed rage on those who dared to resist him. Williams and Middlesex were his mere creatures, and he marked them, with some show of justice, for his revenge.

The king still clung to his hopeless project of restoring the palatinate by negotiation and the Spanish match. He proposed to the prince palatine a compromise with the emperor. The palatine rejected the proposal, and the terms need not be stated. The power of Buckingham may be judged, from the prince palatine's writing to him as well as to the king §,—so absolutely was the favourite invested with the royal authority.

The prince's expenses in Spain, and the equipment of the fleet to bring him home, exhausted the funds and increased the debts of James. The disappointment of 200,000 ducats (600,000*l.*) which the Spanish marriage would bring him, was grievous in his distress. "Forget not," says he, in one of his letters to the

* Archæologia, xvii. 280.
† Rush. i. 107.
‡ Hacket's Life of Williams, 165, &c.
§ Rush. i. 108.

prince and Buckingham *, "to make them keep their former conditions anent the portion, otherwise my baby (Charles) and I are bankrupts for ever." To supply its place, Buckingham advised a sale of crown lands, and the seizure of dean and chapter lands; but was overruled by the lord-keeper Williams. He next advised recourse to parliament. If Buckingham had the forethought to include, among his reasons for breaking the Spanish match, the security of his person and power, by conciliating the popular party in both houses on his return, his capacity, or ambition, must have exceeded the general estimate of his character. But the idea would naturally, and almost necessarily, suggest itself to him after his arrival in England. His expedition to Spain was forgiven amidst the ecstacies of joy and gratitude for his bringing back the prince safe and unmarried. He soon came to an understanding with lords Southampton, Say, Oxford, and Essex, who opposed the court; he prevented, by his influence, and that of the prince, the honorary exile of Coke, Digges, and other refractory leaders in the house of commons, on forced missions into Ireland †; and though he lay under the strong suspicion of popery, contrived to obtain favour with the puritans, through Preston, a leading puritan minister, of whose knowledge in church history he further availed himself, towards the project which he entertained of maintaining the king's right to seize the dean and chapter lands.‡ James, who hated popularity and puritanism, saw, or was made acquainted with, the proceedings of Buckingham. But the united influence and artifices of the favourite and the prince overawed or imposed upon his weakness. They told him, that their advances to the popular party were made only to put them in a better temper for granting supplies.

Buckingham had now the king, the prince, the puritans, and the popular humour on his side. He yet trembled to encounter Bristol, and sent him, under the pretence of kindness, intimations of danger to his person

* Hard. State Papers, 428.
† Carte, iv. 113.
‡ Coke's Lectures, i. 139.

if he came to England. That fearless and able minister saw through the motives, and dared the power, of the favourite, demanded the use of an English ship to bring him over from Calais, and, being refused, came from Calais to Dover in an open boat. Buckingham endeavoured to obtain an order for committing him to the Tower, under pretence of disabling him from impeding the public business. The marquess of Hamilton and the lord chamberlain (Pembroke) opposed him, and Buckingham obtained only an order for confining Bristol to his house: this order encountered him on his landing at Dover. Bristol, who alone had the means and spirit to expose Buckingham's version of the Spanish negotiation, was thus excluded from his place in the house of lords, and from the king's presence.

Parliament was opened by the king on the 19th of February. He was advised, or instructed, to win the commons by "casting," says Rushworth, "some crumbs of his crown amongst them; which crumbs would work miracles." He accordingly issued no proclamation to the people against meddling with state mysteries, and, in his opening speech, invited the commons to advise with him upon matters concerning his estate and dignity, and especially the marriage of his son. He deprecated jealousies between himself and his parliament in these characteristic and whimsical terms: — "To plant is not sufficient, unless, like good gardeners, you pluck up the weeds that will choak your labours; and the greatest weeds among you are jealousies: root them out. For my actions, I dare avow them before God; but jealousies are of a strange depth. I am the husband and you the wife, and it is subject of the wife to be jealous of her husband. Let this be far from you! I can truly say, and will avouch it before the seat of God and angels, that never king governed with a purer, sincerer, and more uncorrupt heart, than I have done, far from all will and meaning of the least error or imperfection of my reign."* 1624.

* Rush. i. 116.

After this appeal to God and angels, he repudiates, in the following terms, the odious suspicion of "a toleration." "It hath been," says he, "talked of my remissness in maintenance of religion and suspicion of a toleration; but, as God shall judge me, I never thought or meant, nor ever in word expressed, any thing that savoured of it." It is impossible, without a mixed feeling of disgust and melancholy, to compare this solemn appeal to God with the articles respecting the catholics to which he swore in the Spanish contract, and with the similar concessions which he was at this very time negotiating, in the contemplation of marrying his son to Henrietta of France. * After a fulsome eulogy upon Buckingham, he referred both houses to him and to the prince for an account of the Spanish treaty. This was a remarkable descent from those maxims of prerogative which James was accustomed to propound; and he was anxious that the statement should be made at the council board, not in parliament. Buckingham, intent upon popularity, and relieved from the presence of Bristol, overruled his wishes; and after the commons had chosen for their speaker sir Thomas Crewe, one of the "fiery spirits" exiled into Ireland, both houses, on the 24th, met at Whitehall to receive the statement promised. Buckingham gave a long narrative of their proceedings in Spain, in which the grossest misrepresentations were supported by garbled extracts from despatches †, whilst the prince was beside him to assist his memory. Thus early was Charles an adept in that combination of rank perfidy and plausible demeanour, which made him suspected by the thinking and acting part of the nation. The Spanish ambassador extraordinary, Inojosa, took fire at the charge of falsehood made upon his master by the duke of Buckingham; declared, that any minister who thus spoke of the king

* The version from Rushworth, given above, differs from that in the Parliamentary History. The king's disclaimer in the latter is more feeble and equivocal.

† See Life of Williams, Cabala, 398. Hard. St. Papers.

of England in Spain would risk the loss of his head; and demanded satisfaction. The two houses, as if, says Rushworth, "they were twins," applauded the conduct and speech, in a joint address to the king and Buckingham; and by way of satisfaction to the Spanish ambassador, declared that the duke's words applied only to the ministers of the king of Spain, and not to himself. James, incapable of resistance, sensible of his utter weakness, and trembling at the idea of plunging into a war, acquiesced in the address, but rebuked the commons for affecting to be sureties for the fidelity of Buckingham, his disciple and scholar. He was vexed at the popularity of his favourite, and did not dare to express it more explicitly.

On the 6th of March, the archbishop of Canterbury, at the head of a joint committee of both houses, proceeded to Theobald's, and there presented to the king a joint address voted unanimously. It concluded—"And it is upon mature consideration, and weighing many particulars of sundry natures, that, finding so much want of sincerity in all their proceedings, we, *super totam materiam*, present this our humble address unto your majesty; that the treaties both for the marriage and the palatinate cannot any longer be continued with the honour of your majesty, the safety of your people, the welfare of your children and posterity, as also the assurance of your ancient allies and confederates." * James answered this with a heavy heart:—"You give me," said he, "your advice to break off both treaties, as well concerning the match as the Palatinate. And now give me leave, as an old king, to propound my doubts, and give you my answer. . . . . But let me acquaint you a little with the difficulties of this cause. He is an unhappy man that shall advise a king to war; and it is an unhappy thing to seek that by blood which may be had by peace. Besides, I think your intentions are not to engage me in war; but withal you will consider how many things are requisite

* Parl. Hist. i. 1383.

thereunto. I omit to speak of my own necessities (they are too well known). Sure I am, I have had the least help in parliament of any king that ever reigned over you this many years. I must let you know, that my disabilities are increased by my son's journey into Spain, which I was at for his honour, and the honour of this nation: by sending ambassadors, by maintaining of my children, and by assisting of the Palatinate, I have incurred a great debt to the king of Denmark, which I am not able yet to pay. . . . . My grandchildren, I vow to God, eat no bread but by my means; I must maintain them, and not see them want. In the mean time, my customs are the best part of my revenues, and, in effect, the substance of all I have to live on; all which are farmed out, upon that condition, that if there be a war those bargains are to be disannulled, which enforce a great defalcation. Subsidies ask a great time to bring them in: now if you assist me that way, I must take them up beforehand upon credit, which will eat up a great part of them. This being my case, to enter into war without sufficient means to support it, were to show my teeth, and do no more. . . . . I will deal frankly with you: show me the means, how I may do what you would have, and if I take a resolution by your advice to enter into a war, then yourselves, by your own deputies, shall have the disposing of the money; I will not meddle with it; but you shall appoint your own treasurers. I say not this with a purpose to invite you to open your purses and then to slight you, so much as not to follow your counsel, nor engage you before I be engaged myself. Give me what you will for my own means; but I protest, none of the monies which you shall give for those uses, shall be issued but for those ends, and by men elected by yourselves. If, upon your offer, I shall find the means to make the war honourable and safe, and that I resolve to embrace your advice, then I promise you, in the word of a king, that although war and peace be the peculiar prerogatives of kings, yet,

as I have advised with you, in the treaties on which war may ensue, so I will not treat nor accept of a peace without first acquainting you with it, and hearing your advice." *

The two novel and curious offers of the king, to let the parliament dispose of the supply, as well as vote it, and to make them sharers in his prerogative of peace and war, were the private suggestions of Buckingham.† They prove, at once, his rash presumption, and his power over both the understanding and prejudices of the king. Two constitutional, if not essential, functions of the executive, were thus transferred to the legislative power. The archbishop was again charged with the answer of both houses to the king's last speech, and an offer of three subsidies and three fifteenths for maintaining a war.

In every address from the two houses, on the subject of the Spanish treaty, allusion was made to the insincerity of the Spanish court. The archbishop, in a preamble to the address, did not omit to dwell upon it. The conscience of James smote him at last. He began his speech in reply, with this rebuke of the archbishop; for, humbled as he was, he no longer dared to encounter the displeasure of the commons and of Buckingham: "I have," said he, "nothing to say to the preamble of my lord of Canterbury, but that he intimated something in it which I cannot allow of. For whereas he said, I have shown myself sensible of the insincerity of those with whom I had lately to deal, and of the indignity offered to my children, — in this you must give me leave to tell you, that I have not expressed myself to be either sensible or insensible of the good or bad dealing: it was Buckingham's relation to you which touched upon it; but it must not bar me, nor make Jupiter speak that

* Rush. i. 129, &c.
† See Hard. State Papers, i. 467.

which Jupiter speaks not." After expatiating on the expenses of a war, and the wisdom of not engaging in it without sufficient means, he thus proceeds:—"I would require you to be pleased to bestow upon me five subsidies and two fifteenths to every subsidy for the war. And for mine own necessities, my crying debts are so heavy, that no man can bear them with a greater grief of heart, and sting of conscience, than I have done and do. And I, now growing old, would be glad to see a means for the satisfying of my debts before I go out of the world: and, for this end, I desire you would give me one subsidy and two fifteenths, yearly, until my debts be paid." His speech was twice interrupted; by the prince, and by the prince and Buckingham: first, to remind the king, that he had promised them to ask no supply for his own use, if the parliament voted six subsidies and twelve fifteenths for the war. The second interruption is thus stated by Rushworth:—"Here, again, the prince had spoken with his father, to know of him whether he were satisfied in honour and conscience, that he might, in this case, undertake a war; and that his majesty answered, he was already satisfied and resolved therein; but for the manner of publishing it, he would take your advice. Then the duke of Buckingham said, the reason why his majesty used these words was, that having formerly spoken of his honour and conscience, if he should now have left them out, it might have been thought that money only had drawn him to it. But the king said, he was already satisfied and resolved, yet would have your advice for the manner of declaring it."*

The commons voted half the demand of the king, appointed treasurers to receive it, and a council of war to direct its appropriation. The king was thus deprived of his constitutional and proper functions, through the agency of parliament, by his son and his

* Rush. i. 136, &c.

favourite; who, at the same time, interrupted his speech, and made him retract his words, to adopt others at their dictation, with an utter disregard of duty and respect. He presented a melancholy spectacle of imbecility and degradation.

The supply was accepted; the king formally signified that the truce was at an end; London blazed with bonfires, and echoed with the pealing of bells; the populace insulted the ambassadors of the king of Spain; the duke of Buckingham was a popular idol: the puritans compared him to Hushai the Archite, called the king's friend, and St. John the disciple whom the Saviour loved; whilst sir Edward Coke pronounced him the saviour of the nation. Such are the revolting excesses into which men are plunged, by fanatical zeal. The commons, by way of winding up the proceedings on the Spanish match, proposed to the lords to join them in a "stinging petition" * to the king for the better execution of the penal laws against papists. James addressed a short and curious letter on this subject to secretary Conway. It affords evidence of his aversion from the most horrible of all wars — a war of religion. "I doubt not but you have heard what a stinging petition against the papists the lower house have sent to the higher house this day, that they might joyntly present it unto me. Yet know my firm resolution not to make this a war of religion: and seeing I would be loth to be cony-catched by my people, I pray stay the post that is going to Spain, till I meet with my son, who will be here to-morrow morning: do it upon pretext of some more letters ye are to send by him; and if he should be gone, hasten after him to stay him upon some such pretext; and let none living know of this, as you love me. And before two in the afternoon to-morrow you shall, without fail, hear from me. Farewell." † After some mitigation of the prayer of the petition by the lords, it was presented to the king; and he had

* Rush. i. 136, &c. † Ibid. 140, 141.

the shocking insincerity to call God to witness that he never intended to dispense with the penalties of popish recusancy. The commons next took a step worthy of the worst times of the Roman empire, when the senate-house was profaned by spies and informers. They voted, that every member should denounce, by name, every suspected papist in his vicinity: the odious list was accordingly presented; and a petition to the king, founded on it, was sent for the approbation of the lords. That house had enough of honour and humanity to decline joining in it, and it was abandoned and forgotten amidst other and more worthy affairs.

The commons now revived the committee of grievances of the last parliament; and the first use made of its labours was to indulge the revenge of Buckingham. The committee, in the course of their investigations, found matter of charge against Williams and Middlesex; and impeachments were commenced, under the auspices of the favourite and the prince. James, who retained his shrewdness, whilst he lost the little sense of power or dignity which he ever possessed, told them, in homely terms, that they were preparing a scourge for their own backs*; but so completely was he divested of all power, that he now could only advise. Williams the lord keeper was put upon his defence, but escaped through his submission, and the failure of the first charge.† Middlesex had given deeper offence, or was more confident in his strength to resist, with the support of the king. He was impeached at the bar of the lords, under circumstances of great hardship—without due time to prepare his defence, without the assistance of counsel, and compelled to stand during eight hours, without relief or relaxation, each day. The unhappy king descended to solicit the lords, individually and privately, in his favour; but the prince and Buckingham urged his conviction, and they obtained it. He was condemned to pay a fine of 50,000*l.*, to degradation as a peer, and to imprisonment during

* Clar. 20. † Carte, iv. 116.

the king's pleasure in the Tower. James discharged him from the Tower in a few days after he was committed.

The commons now presented a petition of grievances, under thirteen heads, and relating chiefly to monopolies. The king met them with an array of *his* grievances in return. He complained, in a tone of distress at once comic and reasonable, of some of their proceedings.* The session was prorogued, on the 29th of May, to the following November, but did not meet. After several prorogations, it was dissolved by the death of king James.†

The great obligation conferred by this parliament, was in establishing the privilege, and giving regularity to the process, of impeachment. Some humane and salutary changes were made in the procedure by the lords. Struck, perhaps, with the hardships and complaints of Middlesex, they ordered that the culprit should have copies of the articles and depositions, and the aid of counsel. The commons, it is true, went far beyond all former parliaments against prerogative. They not only voted, but received and disposed of, the supplies. This was a gross and dangerous invasion of the just and necessary powers of the executive government. The courage and virtue of the commons shine only in resisting and re-adjusting the usurpations of the crown, and in cutting down those branches of prerogative, which, however legal in their origin, have become, in process of time, inconsistent with the security and

* In a dispute between the grocers and apothecaries, the king appears to have judged better than the commons: —

"Another grievance of mine is, that you have condemned the patents of the apothecaries in London. I myself did devise that corporation, and do allow it. The grocers, who complain of it, are but merchants. The mystery of these apothecaries, belongeth to apothecaries, wherein the grocers are unskilful; and therefore I think it fitting they should be a corporation of themselves. They bring home rotten wares from the Indies, Persia, and Greece; and here, with their mixtures make waters, and sell such as belong to apothecaries, and think no man must control them because they are not apothecaries." — *Parl. Hist.* i. 1503.

† It appears, from the following words used by king James in dissolving his third parliament, that the members were paid for their attendance in parliament by their constituents in this reign: — "And divers shires, cities, and borough towns, have been burdened with allowances made to the knights and burgesses whom they employed.

full exercise of public liberty. The *manner*, also, in which the commons invaded the king's functions, was vicious. The weak old king was placed in fetters at their feet by the confederate perfidy of his son and his chief minister, and they unscrupulously stripped him.

Whilst Buckingham was thus carried in triumph by the house of commons, attempts were made in private to effect his fall. Bristol, of fearless temper, confident in his cause, and rendered desperate by the disappointment of his ambitious hopes, petitioned the king for an enquiry into his conduct by his peers, and challenged Buckingham to prove any charge against him. The king postponed in terms, and denied, in fact, a hearing to Bristol. A series of interrogatories were put to him, which he answered conclusively*, and again defied Buckingham, or any other accuser. The minion insolently replied,—"that it was not an assertion to be granted, that the earl of Bristol, by his answers, had satisfied the king, the prince, or himself (Buckingham), of his innocence."† The duke and the prince—for Charles was his confidant and confederate in every step‡—endeavoured to obtain from the king a royal command to Bristol to acknowledge his fault. But James, with all his weakness, was so satisfied, not merely of the innocence and fidelity, but of the better course pursued by Bristol in the negotiations, that he replied, "I were to be accounted a tyrant, to engage an innocent man to confess faults of which he is not guilty."

An attempt, it has been observed, was made to supplant Buckingham by reinstating Somerset. The fallen favourite was in communication with the king through a third party—but who it was, does not appear—and addressed to James a written statement of his grounds of charge against Buckingham. From this letter, it is clear that Somerset was acting in concert with the Spanish ambassador. The letter may be regarded as a summary of the accusations by which the

* Hard. State Papers, i. 494. † Coke's Detection, i. 166.
‡ See Hard. State Papers, Span. match, passim.

enemies of Buckingham attempted to ruin him; and they were well calculated to alienate and alarm a timid and capricious prince.*

* "Those things, wch yor matie did lately comand to be spoken unto yoa, and now to be repeated unto yoa by writing, are not such, as that they can be made clearly to appear by legall and judiciall proofs; both because they, by whose testimonye they may be confirmed, doe, for feare of a most potent adversarie, wthdraw themselves; and allso, because they think it a crime to come into the embassadors houses: yea, even they are afraid to do it, who have comandemt to doe it from yor matie.

"But neither was it lawfull for the embrs themselves to speake these things (especially not to such as they desired) when the order of affaires required it; because they had never the freedome to speake unto yor matie, and no audience was graunted them in the absence of the D. of Buckingham: an example certainly unusuall wth other kings, and never to be taken in good part, unlesse it be perhapps, where the king himselfe wanting experience, and being of weake judgemt, and no wisdome, some one that is familiar and inward wth the king, a man wise and circumspect, of great judgemt, and no less experience, supplyes the king's place. But here, where all things goe prposterously, and the king himselfe being a most prudent and experienced prince, he that is his familiar (or favorite) doth in all things show himselfe a rash headye young man, a novice in managing of busynes, and to the crowne of Spaine most offensive; certainly, by all just right this man was to be kept away from the audiences of the membrs of that state. We may allso be bold to say, that his prsence so earnestly desired by him, doth argue a great feare in him, and a great distrust as well of his owne upright conscience as of the king's wisdome. Hence therefore it comes, that yor maties most faithfull vassalls dare not so much as indirectly disclose their minde to the kinge, though they take it in very ill part, that a very good king should be driven unto such streights; and that a man pleasing himselfe in his own designes should use the favor of princes so sinisterly, that he doth of set purpose stirre up breach of friendshipp and enmitie betwixt most mightye kings. Besides, who can wthout a discontented mind endure that the greatest affaires and of greatest moment (if any in the Christian world can be so termed) should be so ordered and concluded at the pleasure of the parliamt, and from thence all things carved on wth a headlong violence at his will and pleasure, and a most deadly warre to be prferred before a most happy peace; when as nevertheless I am not ignorant, that not so much the restitucion of the Palatinate, as the very claime to it will very difficultly be obtained or recovered by force of armes.

"Let yor matie exactly consider, as it useth to doe, whether this be not an evident argument of what I have sayd, that the conference (or treatye) about the Palatinate was taken from the councell of state, a societie of most prudent men, onely for this cause, — that allmost every one of them had wth one consent approved the proposicion of the catholike king, and did not finde in it any cause of dissolving that treatye. Thereupon the parliamt of this kingdome was procured by the duke, because he thought his plotts would be most acceptable to the puritanes; not wthout great injurie to the councell of state; from whch he fledd and disclaymed by way of appeale, and betooke himselfe to the parliamt, as to a sanctuary or altar of appeale: and wth such successe, that we may be bold to say, that the parliamt is now alone the king; nay, whch is more, that this daring duke propounded many things to the parliamt in the king's name, yor matie neither being made acquainted wth them, nor willing to them; yea, and that he propounded many things contrary to yor maties service.

"Who is there, that doth not see and comend the royall disposicion of the prince, adorned wth so great endowments of his minde, that he doth in them all show and approve himselfe to be a good sonne of a very good king: and yet nevertheless that the duke doth so much presume upon his favor, that he contemneth all men, as knowing that those who are

Buckingham, as stated above, watched the king so closely that the Spanish ambassador could not obtain an audience without the presence of the favourite, and complained of this to his court.* The Spaniard, however, contrived a secret communication with the king; and practised an intrigue so bold and dexterous, that it was near proving successful.

There were, at this time, two Spanish ambassadors in London — the marquis Inojosa and don Carlos Colonna; the former a special, the latter the ordinary ambassador. The two Spaniards came to Whitehall, and were admitted to the king's presence. Buckingham, as they expected, was present. Whilst Colonna kept Buckingham in earnest conversation, Inojosa put unobserved a folded paper into the hand of the king, who as secretly conveyed it to his pocket. James was no sooner alone, than he opened the paper. It contained serious and alarming charges against Buckingham, and implicated the prince; — among others, that the king was a prisoner in his own court — approached only by the spies and agents of Buckingham and the prince, — who contemplated depriving him of all power, and consigning him to a country house, where he might follow his favourite amusement of the chase; that the prince was drawn

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obedient to his highnes, will also subject themselves to his will. I would to God he did direct these his actions to the good of the prince; but that is a thing so farre from the opinion of good men, that they rather believe, that he, that hath overthrowen the mariage wth Spaine, will be of no lesse power to the breaking of any other mariage; and that it is wch many doe prophecye. They knew in Spaine that very same day that he had received letters from the most illustrious princesse palatine, that he caused the procuratorie to be revoked, and a few days after, upon the coming of the foresayd princesses secretary, and the confirmacion of his hope of having his daughter maried to her highnes sonne, all things were utterly dashed in pieces.

Let yor matie have a care of yorselfe and the prince, and foresee the hurts and damages wch a man of such turbulent humors may stirre up; whose headdye spirit yor matie saith you have noted, and have desired to mitigate; a man, I say, that is ambitious of populaire aire, as plainly appeared in parliamt; where, by casting all odious matters upon yor matie, he did arrogate the thankes of all things that were acceptable to himselfe, being styled the Redeemer of his country; I say againe, a man who hath envyed so great a good to the Christian world, and principally to the kingdomes of England and Spaine; having used some certaine meanes, whch doe argue that he aymed at such an end, as many allreadie feare, and doe prophecye in it the worst events that can be."—*Archæologia*, xvii. 281, &c.

* Lett. of Sir W. Aston to Buckingham, Cabala, 4.

from his duty by Buckingham; that they sought to engage him in a war, for the purpose of employing an armed force to set him aside; that the duke and the prince sought to bring him into public contempt, by imputing to him the want of energy and spirit; that Buckingham, to render him odious, disclosed a secret instruction with which he was charged in Spain, respecting Holland *; that his safety depended upon an immediate dissolution of parliament. It concluded with a request that the king would receive privately don Francisco Carondelet, Spanish secretary of legation, whilst the prince and the duke were at the house of lords. The king accordingly gave private audience, not only to Carondelet, but to the Jesuit father Maestro, who was attached to the embassy.

It was the habit of James, in his distresses and perplexities, to quit the scene, and allow their course to events which he wanted skill or firmness to encounter. He now retired to Windsor, in a state of anxiety and uncertainty from the representations of the secretary and Jesuit. His imbecility was such, that he could no longer command his characteristic dissimulation. He could not conceal his vexations and suspicions from the prince and Buckingham, and contrived some pretence for not being attended as usual by the latter. The favourite had so little fear of what the Spaniards could effect against him, that he treated the king with sarcastic insolence upon learning that he had given audience to the Spanish agents. "I will," says he, in a letter to James, "tell the house of parliament that you have been upon the fields this afternoon, and have taken such a fierce rheum and cough, as, not knowing how you will be this night, you are not yet able to appoint them a day of hearing; but I will forbear to tell them that, notwithstanding of your cold, you were able to speak with the king of Spain's instruments, though not with your own subjects." † But the king's

* See Hard. State Papers. † Ibid. 460.

departure to Windsor without him, roused his apprehensions. When James was stepping into his carriage, Buckingham, with tears in his eyes, begged to know how he had offended so good and gracious a master. The king replied, that he was the most unhappy man alive, forsaken and betrayed by all who were dearest to him. Charles was present with his father in the carriage; and this pathetic complaint drew tears, not only from the king when uttering it, but from the two confederates to whom it was addressed. Such, at least, is the representation of bishop Hacket, in his Life of Bishop Williams; from whose private papers he has given a minute account of this curious intrigue.

The king and prince proceeded to Windsor; whilst the duke retired to Wallingford House, where he threw himself upon a couch in an agony of distress. But his guardian angel was near. The lord keeper Williams, after some difficulty in obtaining access to him, found the disconsolate favourite lying on his couch in speechless and motionless despair. The bishop addressed him two or three times before he could obtain a word in reply. He was brought to the use of speech and hearing by the following protestation, uttered solemnly by the bishop; "that he verily believed God's directing hand was in it to stir up his grace, to advance him to those favours which he possessed, to do him service at this pinch of extremity." He then counselled him to proceed instantly to Windsor, and watch the king day and night, as he wished to escape the Tower, and "God knew what might follow." The duke took his advice, without requiring to be informed of particulars, and left his couch for Windsor.

Bishop Williams, in this intrigue, displayed the unscrupulous finesse of cardinal Mazarin. The right reverend lord keeper enjoyed the confidence of a lady residing in Mark Lane, who had such influence over the Spanish secretary, that he could keep no secret from her. This Dalilah, as she is called by the bishop, communicated to him the secret interview of the secretary

with the king. Buckingham and the prince had a jealous eye upon all communication with the Spanish embassy. Such was the fear of them, that no one would go, even by the king's order, without their leave. Williams, afraid of provoking suspicion, however unfounded, by sending to the Spanish embassy, imagined a device to procure himself a private visit from Carondelet. He found out an English priest, who was the secretary's friend, and caused him to be taken up by a pursuivant. Carondelet requested an interview with the lord keeper, in order to prove the innocence of his friend. This was precisely what the bishop expected; and, after some affected difficulties, consented to admit the secretary to his presence, at night, by a private door. The secretary came, and earnestly entreated the release of the captive priest. "Would you have me," says the bishop, "run the hazard of releasing a priest, when the eye of parliament is so vigilant?"—"My lord," says Carondelet, "let not the fear of parliament trouble you; for I can tell you, if you have not heard it, that parliament is upon expiration." Williams saw instantly his advantage; and, following it up, obtained from Carondelet,—a simple-minded, good-natured Walloon,—as the price of the release of his friend, the heads of the charges against Buckingham; noted them down after the secretary was gone; made a fair copy with his own "antiscripts;" and took them to the prince at St. James's. The prince, surprised and pleased, asked him how he had made the discovery. "Truly, sir," said the bishop, "another would blush to tell you what heifer he ploughed with; but all my intelligence comes out of a lady's chamber; and I have found this maxim in my studies of divinity:—'*Alieno* peccato uti licet.'" A historian* has drawn a parallel between the wit of the lord keeper in detecting this intrigue, and that of the Roman consul in discovering the conspiracy of Catiline. Both, he observes, took advantage of the weakness of the sex, with this difference in favour of the lord keeper,—that

* R. Coke, i. 150.

the mistress of Curio was provoked by jealousy, while the mistress of Carondelet was gained by the bishop solely through his own influence.

The prince immediately proceeded to Windsor, and placed the paper in the hands of Buckingham; who asked him what Vitruvius had raised so curious a structure. Williams had imposed secrecy on the prince; and they immediately laid it before the king. His majesty, deliberately reading the paper, containing, it will be remembered, not only the charges already conveyed to him, but the answers of the bishop, stopped several times, and at last affectionately embraced his favourite and his son. "All I ask of you," said he, "is, who is your engineer?" Buckingham answered, that he did not know; and the prince, in pursuance of his pledge, stood mute. "Well," said the king, "I have a good nostril, and will answer mine own question. I dare swear my lord keeper had a finger in it." *

It would appear, however, that this reconciliation, sentimental as it was, did not wholly remove the suspicions of the king, or calm the apprehensions of Buckingham. James resolved to sound the depth of the affair, by separately examining his council upon oath.† The prince obtained a copy of the interrogatories,—in what manner it does not appear,—and enclosed them to Buckingham in a letter from which it may be inferred that Buckingham was not disposed to undergo the ordeal.

"Steenie," says he, "I send you here enclosed the interrogatories that the king thinks fit should be asked

* His majesty used a metaphor which would have better become a pastrycook than a king: "I dare swear he lealted the flour, and made it up into paste."

† Despatches of the Venetian ambassador Valerozzo, and sir Thomas Rae's negotiations, cited in Carte, iv. 117. Bishop Williams has painted his own character to the life in the following passage of one of his letters to Buckingham whilst in Spain:—

"The new bishop of Chalcedon (a Roman catholic) is come privately to London; and I am much troubled there abouts, not knowing what to advise his majesty in this posture as things stand at this present. If you were shipped, with the infanta, the only counsel were, to let the judges proceed with him presently, and hang him out of the way, and the king to blame my lord of Canterbury, or myself, for it. But, before you be shipped, I dare not assent or connive at such a course."—*Cabala*, 273.

concerning the malicious accusations of the Spanish ambassador. As for the way, my father is resolved (if you do not gainsay it, and show reason to the contrary) to take the oaths himself, and to make secretary Calvert and the chancellor of the exchequer to take the examinations in writing under their hands that are examined; thus much is by the king's command. Now for my opinion: it is this; that you can incur no danger in this, but by opposing the king's proceedings in it, to make him suspect that you have spoken somewhat that you are unwilling he should hear of; for I cannot think that any man is so mad *as to call his own head in question*, by making a lie against you, when all the world knows me to be your true friend; and if they tell but the truth, I know they can say but what the king knows, — that you have avowed to all the world — which is, that you think, as I do — that the continuance of these treaties with Spain might breed us much mischief: wherefore my advice to you is, that you do not oppose, or show yourself discontented at, the king's course herein; for I think that it will be so far from doing you hurt, that it will make you trample under your feet these few poor rascals that are your enemies."*

This letter of the prince, with its ostentatious assertion of the innocence of Buckingham, is more calculated to suggest suspicions of both. They may have been clear of the main accusation of the Spanish ambassador; but there evidently was something which they had reason to fear might be brought to light by the interrogatory. There was also something ominous of the future despot, in the tone with which Charles threatened the enemies of Buckingham with the peril of their heads — as if it were treason to accuse one whom he protected.† The

* Hard. State Papers, i. 146.

† From a letter of Wentworth, earl of Strafford (State Letters, i. 20.), it might be inferred that the objects of his threatened vengeance were Bristol and Middlesex: — "The inwardness of the prince and duke is as great and firm as ever, which there will be a great and artificial endeavour to untie. However this prove, I think my lords of Middlesex and Bristol are like to suffer before that mine take. June 5th, 1624." It might also be conjectured, that he suspected and threatened Somerset.

interrogatories were put, the duke and prince exculpated, and the king was completely satisfied.

The Spanish ambassador demanded an audience, but was referred by the king to a minister of state, who should receive his communications. The king, however, was persuaded with difficulty*, by Buckingham and the prince, to refuse him a hearing. Inojosa immediately left the kingdom.† On his arrival at Madrid, he found a memorial presented against him by the English ambassador, Aston, charging him, in the king's name, with having impeached the fidelity of his favourite minister and only son, and refusing to produce his proofs.‡ He, however, had little difficulty in clearing himself of an accusation prompted by Buckingham. At the same time, the letters which the prince had addressed to the infanta, and the boxes of jewels which he had presented to her, were returned to him unopened. This was regarded as a new proof of the insincerity of the court of Spain.

It is not to be supposed that James was sincerely reconciled to his insolent and faithless minion. His behaviour was a compound of dissimulation and imbecility. He had sense enough to see and feel the slavery in which he was held by Buckingham and the prince, but not spirit or force enough to emancipate himself. He regarded a war with as much horror as ever, saw himself on the brink, and gave only such signs of reluctance as proved his thraldom and his weakness. Mansfeldt arrived in London in the month of September§; stated the arrangements which he had made with the courts of France and Savoy, and the republic of Venice, for men and money to make war upon the emperor and king of Spain ‖; and had some difficulty in obtaining an audience of the king.¶ He, however, was at last admitted, and James gave him authority to raise 10,000 men in England, with an engagement to furnish

* Straff. Lett. ut suprà, 21.
† Carte, ut suprà. ‡ Cabala. § Rush. i. 173.
‖ Dép. de D'Effiat, Dép. de Valerezzo, cited by Carte, iv. 124.
¶ Strafford's State Letters, i. 22.

20,000*l.* a month for their subsistence.* The troops were raised by impressment†; and, with 2000 German mercenaries, were collected at Dover, for the purpose of proceeding to the Palatinate.

Never was a war begun under circumstances more inauspicious. The recruits, a disorderly rabble, committed outrage and depredation wherever they passed. The French ambassador had promised free passage through France, and they embarked at Dover for Calais.‡ On their arrival before Calais, they were forbidden to land, and proceeded to Zealand. The Dutch authorities, under the pretence of a dread of famine, also shut their ports against them, until, after the lapse of several days, permission was received from the states-general. But in the mean time a dreadful mortality prevailed in the crowded vessels; and Mansfeldt reached the Rhine with little more than half the force with which he set out, so weak and disorganised, that he was unable to proceed to the relief of Breda, then invested by the Spaniards. Among those who were carried off by the mortality was lord Southampton. Breda surrendered to Spinola; and Maurice prince of Orange, ambitious, selfish, cruel, but capable, prudent, and experienced as a general and politician, died of a languishing complaint, precipitated by vexation for its fall.

A massacre committed by the Dutch, upon an English settlement at Amboyna in the East Indies, led to distracting negotiations and mutual disgusts between nations now engaged as allies in a war.

The Palatinate, at the same time, was completely occupied by the duke of Bavaria and the imperialists. Frankendael, it will be remembered, was held by the archduchess as a neutral, to be given up to king James unless the question were settled within eighteen months. The time expired without the contingency, in the preceding October; and Spinola marched out with his garrison, in

* See a list of the captains, with their companies, in Rushworth, i. 153.
† Hard. State Papers, i. 333.
‡ Dép. de D'Effiat, apud Carte, iv. 124.

pursuance of the engagement of the archduchess. That princess allowed a free passage through her Flemish territories for the English troops, but could not guarantee a free passage through Germany for the destined British garrison; and Spinola, finding there were no English on the spot, considered his obligation discharged, re-entered, and re-occupied the place.

The king, meanwhile, had one comfort,— the success of a negotiation for the marriage of his son with the princess Henrietta of France. Overtures were made indirectly through lord Kensington, created on the occasion earl of Holland, immediately on the breaking of the Spanish match. Richelieu now governed France and Louis XIII. more arbitrarily, or rather more despotically, than Lerma, Olivarez, or Buckingham ruled their respective sovereigns and countries. His ascendant was that of a politic, cruel, fearless, and powerful genius. He affected, at the opening, to see no obstacle or difficulty in the negotiation; but, upon seeing that with Spain broken irreparably, he rose in his conditions. The two main points were, the dowry of the princess, and the matter of religion. Hay earl of Carlisle joined Holland upon the formal opening of the negotiation. The dowry of the French princess was only 600,000 crowns; which, supposing them crowns of 3 livres, would amount to 100,000*l.*, — a mere fraction of the treasure which was to arrive in the train of the infanta, and far short of what had been disbursed in the prince's journey to Spain.

The terms settled with the court of Spain, as to religion, were assumed as the basis. The English negotiators expected to find the French court less exacting: but the haughty Richelieu insisted that concessions still greater, in favour of the English catholics, should be made as the price of a French princess. The terms of pardon and remission as to penalties and fines for the past, and indulgence for private worship as to the future, were accordingly settled; and the demand of Richelieu was stipulated by a secret memorandum,

signed by the king, the prince, and a secretary of state.* The marriage treaty was signed and sworn to in Paris and London, by the respective sovereigns, at the close of the year; and Buckingham was commissioned to proceed to France, for the purpose of conducting the bride to England, when all further proceedings were interrupted by the illness and death of king James.

Habitual intemperance, gout, and vexation, produced 1625
what the physicians called a tertian fever; of which he died, on the 27th of March, at Theobalds. Buckingham was accused of poisoning him; and suspicion reached even his son and successor. The ground was, that the duke of Buckingham and his mother — who, like most persons of the day, had confidence in quacks and their specifics — gave him a draught, and applied to him a plaster, in the absence of the physicians. He died in the 60th year of his age and the 23d of his reign.

To sketch the character of this king, would be but to concentrate and repeat the traits scattered over the preceding pages of his reign. He is, moreover, one of the least inviting subjects of moral *autopsia*. The best that can be said of him is, that the staminal weakness of his character precluded his being greatly mischievous.

* The following is the original memorandum: —

"Le roy de la Grande Bretaigne donnera au roy un escrit particulier signé de luy, du sérénissime prince son fils, et d'un sécretaire d'estat; par lequel il promettra, en foy et parole de roy, qu'en contemplation de son très cher fils, et de madame sœur du roy très Chrestien, il permettra à tous ses subjects catholiques Romains de jouir de plus de *liberté* et franchise, en ce qui regarde leur religion qu'il n'eussent fait en vertu d'articles quelconques accordés par le traité de mariage fait avec l'Espagne; ne voulant, pour cet effect, que ces subjects catholiques puissent estre inquietés en leurs personnes et biens pour faire profession de ladite religion et vivre en catholiques, pourveu toutesfois qu'ils en usent modestement, et rendent l'obéisance que de bons et vrays subjects doivent à leur roy, qui par sa bonté ne les restreindra pas à aucun serment contraire à leur religion.

"Ce que dessus a été accordé par messieurs les ambassadeurs du roy de la Grande Bretaigne, ce 18 Novembre, 1624, à Paris."—*Hard. State Papers*, i. 546.

"When," says Carlisle, in a letter to Buckingham (p. 553. ut suprà), "the *escrit decrit* was admitted and framed upon much expense of time and consultation both here and in England, the *infamous* word *liberty* was, by the false suggestions and artifice of Ville aux Clercs, foisted in, which I beseech your lordship we may have command to be altered, as a thing which was surreptitiously gotten without our thought or consent." It, however, was not altered, and stands as above in the *escrit decrit*, signed by the two ambassadors.

He affected to rule the nation with the facility of boundless power and arbitrary sway; but could neither rule, nor repress, nor pervert the national spirit: and his ignoble love of peace favoured the resources, whilst it tarnished the reputation, of the country. He was familiar and indulgent to those about him; but the example of his vulgarity and vices debased and contaminated the court. No idea can be given of the indecency and dissoluteness which prevailed there. Much has been said by cotemporary flatterers, and by Jacobite and high-church writers of that and the next age, in praise of his wisdom and learning. His character has been drawn by Williams, Laud, and Bacon — his virtues and his talents have been extolled by the divines and the philosopher. But what credit can be given to the eulogies of two court bishops, who were wooing his successor, whilst the one wrote, the other preached over his bier — or to Bacon, with all his genius, delineating the character of a living and reigning monarch to his face? The following sketch of his writings, by Horace Walpole, is lively, faithful, and complete: —

"Roger Ascham may have corrected or assisted periods of *his* illustrious pupil; but nobody can imagine that Buchanan dictated a word of the 'Demonologie,' or of the polite treatise, intituled 'A Counterblast to Tobacco.' Quotations, puns, scripture, witticisms, superstition, oaths, vanity, prerogative, and pedantry — the ingredients of all his sacred majesty's performances — were the pure produce of his own capacity, and deserving all the incense offered to such immense erudition, by the divines of his age, and the flatterers of his court."*

It has been variously observed of him, that he would have been respectable as a country schoolmaster, as a country rector, and even as a country gentleman. This notion seems strangely mistaken. He who cannot obtain respect whilst raised on the pedestal and surrounded by the illusions of royalty, must escape notice, if he would escape contempt, in humble life. But it would

* Walp. Roy. and No. Auth., Park's edition, i. 114.

be idle to pursue farther the character of a monarch, described by lord Bolingbroke as "one who could neither think with sense nor act with spirit." Most readers are acquainted with the awkwardness of his person, the infelicity of his countenance, the ungracefulness of his demeanour. His remains were conveyed in the night, by torch-light, from Theobald's to Somerset House, on the 23d of April; and buried with the usual pomp, in Westminster Abbey — his son and successor walking as chief mourner — on the 7th of May.

END OF THE FOURTH VOLUME.

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