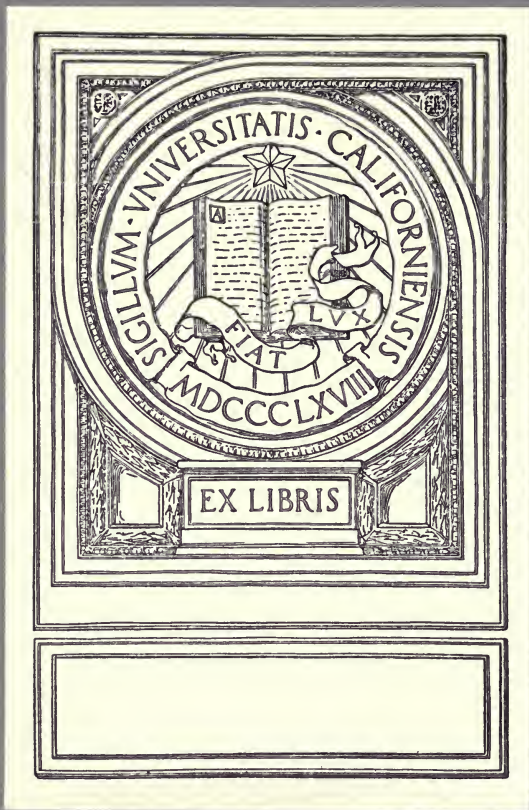


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- I. LETTER OF THE COUNCIL TO SIR THOMAS LAKE,
RELATING TO THE PROCEEDINGS OF SIR EDWARD
COKE AT OATLANDS; AND,
- II. DOCUMENTS RELATING TO SIR WALTER RALEIGH'S
LAST VOYAGE.

COMMUNICATED TO THE CAMDEN MISCELLANY

BY

SAMUEL RAWSON GARDINER, ESQ.

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M.DCCC.LXIV.

I.

LETTER OF THE COUNCIL TO SIR THOMAS LAKE, RELATING TO THE PROCEEDINGS OF SIR EDWARD COKE AT OATLANDS.

[Council Register, July [21 ?]• 1617.]

THERE hath an accident happened while the difference between Sir Edward Coke and his lady, by his Majesty's special commandment and referrence, was depending before the Table, being now concluded, about their youngest daughter Frances Coke. Wherein, because wee have received complaints on both sides, and have likewise given some order and direction therein, we thought it agreeable to our duty that his Majesty should rather hear of it from ourselves than by reportes.

There was a petition delivered unto us, upon sonday the 13. of this instant, by the Lady Hatton, complayning in somewhat a passionate and tragicall manner, that, while by his Majesty's grace she was settlinge and securing her poore fortune, she was by vyolence dispossessed of her childe; and informeing us that, in regarde of her daughter's weake constiticion, she had sent her to Sir Edmonde Wythipole's house for a small tyme, and that it was not don in any secret manner. Whereupon Sir Edward Coke, never asking or taking accompt what was become of her, but pretending warrant, as he said, from the Boarde, had the day before, with his sonne, and 10 or 11 servants, weaponed in violent manner, repaired to the house where their daughter was remaining, and with a piece of timber or forme broken open the doore, and dragged her alonge to

* The date given in the margin is July 11, which is manifestly too early, as Frances Coke was not restored to Hatton House till July 18. (See Chamberlain to Carleton, July 19, 1617. State Papers, Domestic, xcii. 96.) The letter previously entered in the Council Register is dated July 18.

his coach, with many other circumstances too long to trouble his Majesty withall. Whereupon, in regard the complaint containd matter of ryott and disturbance, such as hath not happened since his Majesty's departure into Scotland, we appointed the Tuseday followinge for the hearing of Sir Edward Coke upon the same complainte. The matter beinge thus ordered, wee fell to other busines, and, while wee were in dispatch thereof, the Lady Hatton came to the councell chamber doore, and desired to have accesse to the Boarde. Which beinge admitted, shee was told that order was taken concerninge her petition; but shee, making further instance, desired her daughter might be forthwith sent for, in regard shee was growne to that weaknes by occasion of the violence and fright shee had taken as was with speede to be looked unto for the safety of her life; and that therefore she might be brought to London that night, and remain in some place where shee might have such helpe by phisicke and attendance as were requisite for her preservacion and recovery. Which beinge thought reasonable in humanity, and for avoyding other inconveniences, a letter was written from the Boarde to Sir Edward Coke, acquaintinge him with his Lady's complainte and desire, and requiring him to deliver his daughter to Mr. Edmondess, clerk of the Councell, to be brought by him to London, and kept in his house untill the hearing of the cause; which Sir Edward Coke, upon some exceptions that it was late in the eveninge, and that his daughter was in no such extremitie, forebore to do, but with promise that upon his perrill he would deliver her at Mr. Edmondess' house the next morninge, which accordingly he did; although wee, upon his said forbearance, thinking our order neglected, and doubting whether he would keepe promise, had given warrant, with a clause of assistance, to bringe her to Mr. Edmondess' house accordingly; which warrant' by reason of severall wayes missed to be served. And, after shee was brought to Mr. Edmondess' house according to his promise, we, hearinge that many freindes resorted thither on both sides, and doubting some disorder, gave directions that shee should be kept private untill the hearinge,



which was the next day, and twoe gentlewomen only to be admitted to her company, such as Sir Edward Coke and his lady should choose, which was accordingly performed, Sir Edward Coke choosing the Lady Compton, and his lady the Lady Burleigh.

Upon the hearinge of the cause before us on Tuesday in the afternoone, Sir Edward Coke, by his counsell, did first make a recriminacion, alledging that his lady had a purpose to carry his daughter into Fraunce, and that it was done of purpose to break off a match with that noble gentleman Sir John Villers; and accused one of his Ladies servants for slandringe Sir John Villers with wordes of disgrace and reproach. Whereupon it was thought fitt by the Boarde to deliver the cause of any thinges that was impertinent, wee all making declaracion that we thought that noble gent. every way a worthie match for his daughter, and not doubtinge but that he would seeke her in a noble and religious fashion, without any forced consent of the mayde, and with consent of both parents, and the rather because part of her fortune did depend upon the mother's disposinge; and therefore directed Sir Edward Coke to two pointes, the one to prove the practize of his Lady for the transportinge and slander, the other to defend the ryot and force wherewith he was charged. Wherein we founde that he made no prooffe of the first allegacion concerning her purpose to transporte the gentlewoman into France, neither did we find the matter of scandall proved to our satisfaccion, being avouched only by one witness, and denyed by the partie accused upon his salvacion and offer of his oath. Whereunto was added by way of proof a speech of a very base woman then absent, of which we tooke litle regard. And howsoever they were but words of a leude servant (if they had been proved) noe way touching his Lady, who did utterly renounce the same, with significacion of all honor and respect to the gentleman.

As for his defence, he did not insist upon any warrant he had, but said he would justify it by lawe upon all, which matter the Boarde thought fit that because it appeared that so greate a ryot now in the King's absence, and by a person of that quallity, was fitt

severely to be punished; the rather for that he called no constable or other officer unto him, as he confessed, but took upon him, beinge the partie greived, to be *vindex doloris proprii*, contrary to all government; and for that the King's Attorney beinge presente mayntayned the law to be to the contrary, so as there was no fitt meanes to admitt him to his justificacion but by a legal prosecution; order was given by the Boarde that the Attorney-Generall should preferr an informacion into the Courte off Starr Chamber against Sir Edward Coke for the force and ryott used by him upon the house of Sir Edmond Withipole, to be in that Courte heard and sentenced as justice shall appertaine. And, to prevent all new occasion of tumulte or breach of peace, it was likewise thought fitt that their daughter should be disposed into some convenient place agreeable to her worth and quality until farther order were taken. For which purpose choice was made, by consent of Sir Edward Coke and his lady, of the house of the Lord Knivett neere Staines; and in the meane time, untill the Lord Knivett should returne his answere, shee was disposed to the house of his Majesty's Attorney-Generall. And wee likewise enjoyned Sir Edward Coke and his Lady in the behalfe of her freinds to forbear all occasion of violence or disturbance whatsoever, as well touching the person of their daughter as any other matter or pointe concerning that busines. But now since, this matter seemeth to have had a fairer conclusion; for that wee find that the writings are perfected, and not only soe, but the parties Sir Edward Coke and his Lady reconciled, and the daughter, with both their good likenges, sent to live with their father and mother in Sir Edward Coke's house. Which good ende hath been much furthered by the charitable endeavour of his Majesty's Attorney-Generall. And the information and all other proceedinges in the business is suspended and left wholly to his Majesty's pleasure.

II.

DOCUMENTS RELATING TO SIR WALTER RALEIGH'S LAST VOYAGE:

1. *Proceedings at the Privy Council relating to Captain Bayly's desertion.*

[Council Register, Jan. 11, 1618.]

The Judge of the Admiraltie this day attending the Boord, together with the register of the Courte and all suche examinations and deposicions as had been formerly taken touching the departure of Captaine John Baily with his shippe and company from Sir Walter Raleigh at the island of Lancerota, and the causes pretended to move him thereunto, as also the copie of his Majesty's commission graunted unto the said Sir Walter Raleigh for his intended voyage unto certain parts of America, together with a paper in the nature of a relation or journall of what had passed in the same voyage from the time of their setting forth until their arrival at Lancerota, written by Captain Bayly, and dispersed by him in severall copies unto some of his particular freinds after his returne unto England, being all this day publickly read before their lordships, and the said Captaine Baily himselfe *vivâ voce* heard what he could saye in his owne justification and defence; their lordships, having first gravely debated and weighed the same and all considerable circumstances thereto appertaining, do with full consent agree and conclude that the sayd Captain Baily hath behaved himself un-dutifully and contemptuously, not only in flying from his Generall upon some false and frivolous suggestions without any just cause at all, but also in defaming his said Generall in the before-mentioned journall or relation, wherein he chargeth him with cousenage, and layeth upon him other fowle and base imputations. For which cause their Lordships have thought him worthie of imprisonment

for the present, and to be proceeded with afterwards for his said offences as to justice doth belong. Moreover, whereas upon another information lately brought unto the Lord Admiral, and by his Lordship this day (after the other business had been heard at large) communicated to the Board, showing that Captain Baily did upon Thursday last, the 8. of this month, in the presence of one Captain Chester, Hasell, Wilkes, and others, utter certayne threatening speeches against the sayd Sir Walter Raleigh, which Baily then sayd he would this day acquaint the Lords withall, synce Sir Walter Raleigh's freinds went about to undoe him and overthrowe his fortunes; the effect of which speeches were, (as some of the witnesses aforesayd, being called and present, dyd aver at the Boarde,) that he could charge Sir Walter Raleigh and other greate ones with matter of treason against his Majesty, committed or conceived about a twelvemonth since, as his wordes at that time are sayd to importe; the said Baily was this day also interrogated thereupon by their Lordships, who denyeth the same in parte, that is, that he never sayde he could charge any greate ones other than Sir Walter Raleigh with treason, nor him neyther but out of the mouth and reporte of one Mr. Hastings, brother unto the Earl of Huntingdon, who is gone with Sir Walter Raleigh this journey, and at Plimouth tolde the said Bayly (as hee affirmeth) that hee had matter of treason to charge Sir Walter Raleigh withall, but in what particular Baily knoweth not. Nevertheless, forasmuch as the said Baily, having a matter of so high and heinous a nature as this is concernyng his Majesty's person or state (whom God preserve), revealed unto him soe long since, and hee not discovering the same sooner, as in duty and by the law he was bound upon his perill, besydes that hee blauncheth and deales not ingenuously in his answer to that point, as their Lordships do suppose, they have thought fitt, and soe doe order, that he shall be first committed to close prison for this cause also, and direccion given to his Majesty's learned Councell for the further examination of him and such others as were present when the said words were spoken. And howbeit it should so fall out that

he might be acquitted touching the sayd matter of treason, and noe cause founde in that respect to deteyne him any longer in close prison, yet it is ordered that he shall nevertheless there continew under restraint for his misdemeanours towards his Generall Sir Walter Raleigh, and bee proceeded withall otherwise according to lawe, and as in the first parte of this act is above mentioned.

2. *Proceedings at the Privy Council against Sir Walter Raleigh,*
Aug. 17, 1618.

[Lansdowne MS. 142, fol. 396.]

A charge by Mr. Attorney-Generall ^a against Sir Walter Raleigh.

Faults before his going this last voyage.

Faults committed in his voyage.

Faults committed since.

He hath committed against him who hath saved his life by his grace.

Never subject so obliged to his sovereign.

Sir Walter of late not weary of his fault, but of his restraint of liberty, giveth —(?) of a golden mine.

Saith no man knoweth it but himselfe; none can come by it without himselfe; no man could execute the busines but himselfe.

His Majesty in respect of his countries good licenseth him by his commission under the greate seele;—but limited thus—

1. that he should goe against infidels.
2. for to recover that which the inhabitants cared not for.
3. to avoide th'offence of the King's freinds.

His impostures.

1. Hee never intended a mine.
2. Hee purposed to set war between the 2 kings of England and Spaine.

^a Sir H. Yelverton.

3. He abandoned and put in danger all his companie.
4. His unfaithfull carriage to the king and his companie.

The commission dated 26 Aug. an. R. R. Jacobi 14.

1. i. Hee carried no pioners nor instruments towards that business.
- ii. Hee gave no order to his men to seake the mine.
- iii. Hee desired onely to have a piece of ewer [ore?] to bleare the King's eyes.
- iv. He told one who charged him thereabouts that he must promise somewhat to satisfie and drawe on his company.
- v. His sonnes speeches to the soldiers to attend the spoile of S^t Thomas, for that was the mine they sought after.

2. S^t Thomas belongeth to the Spaniards; they possessed it; Sir Walter's company assaile it, and by direction from Sir Walter Raleigh. Had a commission from the French king to assail Spaniards.

When hee sawe that the towne was taken, and yet got little by it, he resolved to revitaile himselfe, and then make his voyage uppon the Mexico flete.

3 [and 4]. Hee signified to his companie that hee had a commission to doe what he did.

That hee would not put his head any more under the King's girdle.

Hee put it to voyces to his company whether hee should return to England or noe.

After his son was dead hee would have departed and leave his poore company behind him. Hee would have given all his ships to the company, so hee might have but a ship to carry him into some other countrey.^a

^a The following words are also noted down unconnectedly as having formed part of Yelverton's speech: "Qui in vinculis malus est, omnium est pessimus."

Mr. Solicitor-General.^a

His actions beyond sea shewed his want of love and dutie. But his actions since at home shewe his want of feare and dutie.

1. His purpose of flight before commandment layd upon him.
2. His endeavour to flie after the arrest upon him.
3. His impostures to deceive the King and State.
4. His vile and dishonourable speeches, full of contumely to the King.

[1.] i. The lawes penall against the flight from an ordinary judge; much more from the King.

ii. To deny the fault and fly from his justice is to charge the King with injustice.

2. Hee prepared a ship to carry him; hee procured money to defray him.

Hee endeavours to corrupt Manery. Hee endeavoured to corrupt Stukeley his keeper.

If Sir Lewis Stukely had not prevented him, he had been gone.

3. Sir Walter Raleigh at Salisbury began to use impostures of disguising his bodie with sores, blisters, botches, and the like, swimming in his head and dazzling of his eyes.

Fancied himself mad, and to that purpose looked vomative, fell into a convulsion of his sinewes, made men to hold his hands, rubbed his urinall with a medicine to turne his water, to make the world to thinke that he was dangerously sicke. He persuadeth Manery to persist in all these impostures, saying hee would one day laugh at this hartily that hee had so pretely abused both king and state.

4. Sir Walter at Mr. Drake's house tore his haire, stamped on the ground, and, with many execrable othes, said that his trust to the King undid him, and he knew he must die to please the State.

Nere Sherborne he said to Manery that the said lordship and all thereabouts was his, unjustly taken from him, charging the King with injustice and breach of faith and promise to him; and therefore

^a Sir T. Coventry.

concluded, as Mr. Attorney did before, that Sir Walter Raleigh was nowe unworthie of any further continuance of his Majesty's favour towards him.

Sir Walter's answer.

1. That he verily thinketh that his Majesty doth in his conscience clear him of all guiltiness for his falt of an. 1, and that he hath heard that the King said that he would not bee tried by a jury of Middlesex. Archelaus in the 2 booke of Macabees his speeche—
“That had hee been amongst Scithians hee had not been condemned.”

That Dr. Turner told him that Justice Gawdy upon his death-bed said, that the justice of England was never so depraved and injured as in the condemnation of Sir Walter Raleigh.

Answer to Mr. Attorney's 4 objections.

1. He intended a mine, carried refiners and tooles to his charge of 2,000 lib. with him, and trusted Captain Kemish, in whom also they confided, to find the mine, and the force hee sent was not to invade them of St Thomas, but to keape betwene them and the mine, least the Spaniards should interrupt them in their search and work.

3. Hee abandoned not his men as is reported by Sir John Ferne, nor to have gon away and left them in the Indies.

2. Hee denieth it.

4. Hee denieth it.

His answer to Mr. Solicitor's objections.

1, 2. Hee sought not to escape till his arrest by Sir Lewis Stukeley, and afterwards he confesseth to have endeavored to escape.

3. Fatetur facinus qui judicium fugit, vel simulat se fatuum vel insanum, cum non sit, ad fugiendum judicium. Sir Walter did confesse it, excusing himselfe therein by the example of David being with King Achis, and faining himselfe mad.

4. Confesseth that hee said that his confidence in the King de-

ceaved, but denieth that hee used any other ill speeches against the King.

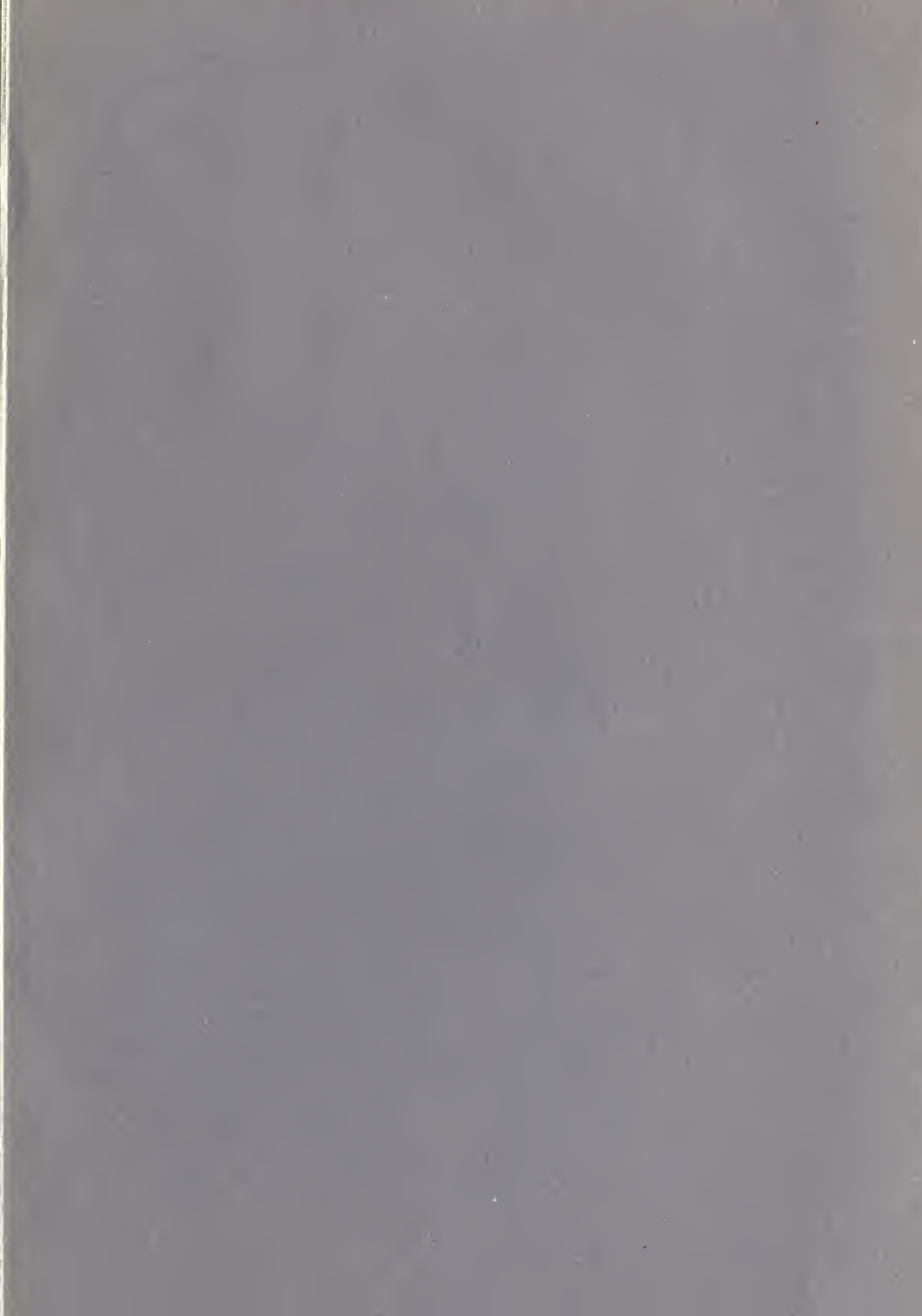
And being confronted with Captens St Leger and Pennington, confesseth that hee proposed the taking of the Mexico fleete if the mine failed.

See the letter dated July 1611, Counsell Book.^a

^a This volume of the Council Register has not been preserved; but the following passage in the agreement printed by Sir R. Schomburgh is probably what is referred to: "Your Lordships," writes Raleigh, "as I remember, did offer to be at the charge to transport Keymis into Guiana with such a proportion of men in two ships as should be able to defend him against the Spaniards inhabiting upon Orenoke if they offered to assail him; not that it is meant to offend the Spaniards, or to begin any quarrel with them, except themselves shall begin the war." *Discovery of Guiana*, ed. Schomburgh, p. 165.







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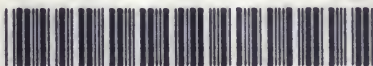
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