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LIVES

OF THE

ARCHBISHOPS OF CANTERBURY.

BY

WALTER FARQUHAR HOOK, D.D. F.R.S.

DEAN OF CHICHESTER.

VOLUME IV.

MIDDLE-AGE PERIOD.

History which may be called just and perfect history is of three kinds, according to the object which it propoundeth or pretendeth to represent; for it either representeth a time, or a person, or an action. The first we call Chronicles, the second Lives, and the third Narratives or Relations. Of these, although Chronicles be the most complete and absolute kind of history, and hath most estimation and glory, yet Lives excelleth in profit and use, and Narratives or Relations in verity or sincerity.

— LORD BACON.



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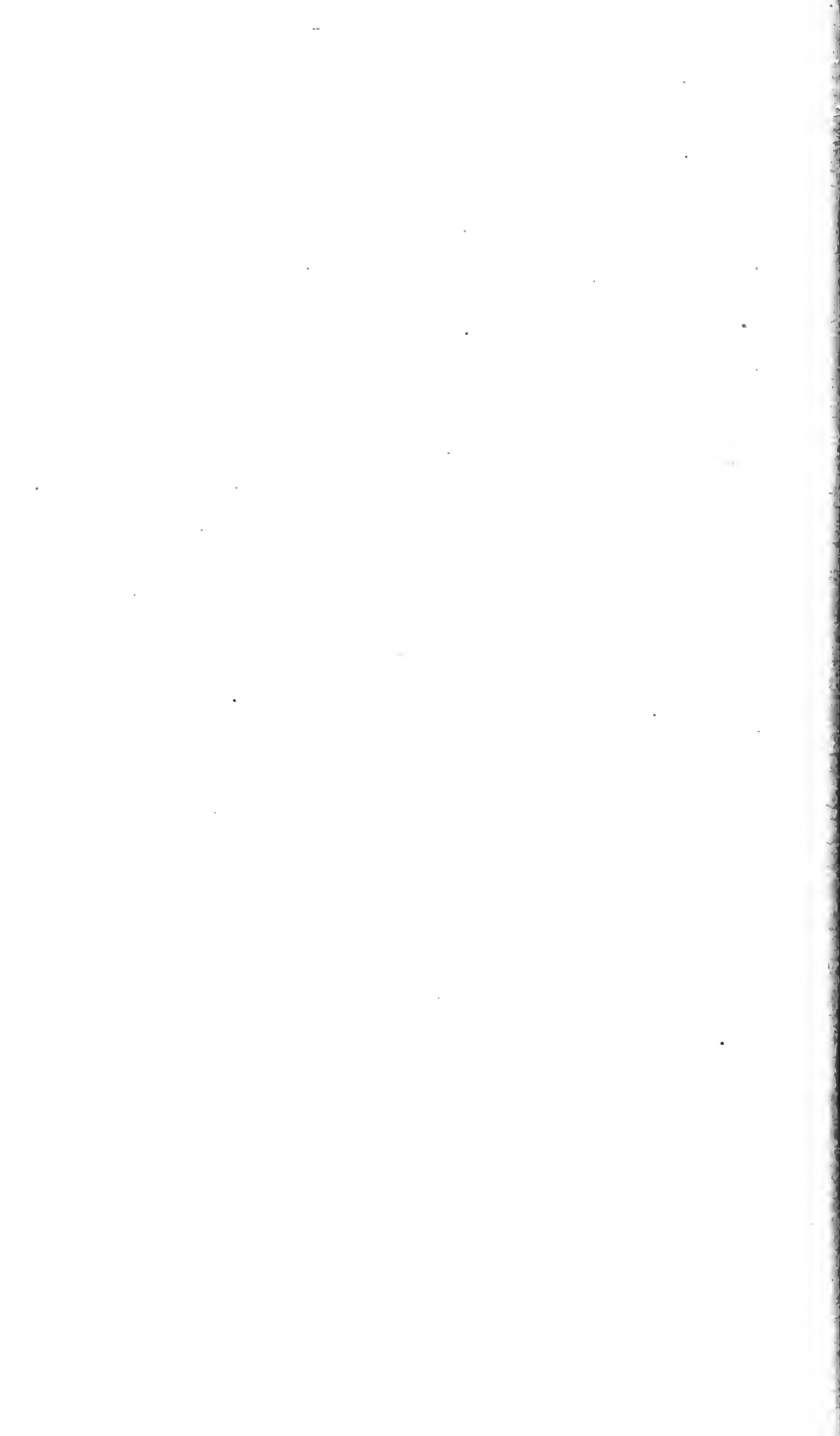


TABLE OF THE PRINCIPAL RELIGIOUS ORDERS CHRONOLOGICALLY ARRANGED,

Continued to the period of the Reformation.

	Date of Institution.
Order of Monks of St. Anthony	A. D. 305
Knights of St. Constantine	313
Monks of St. Pachomius	soon after 314
Cross-bearing Eremites	323
Order of St. Helen	335
Ancient Regular Canons	355
Monks of St. Basil	358
Monks of St. Ambrose	385
Regular Canons of St. Saviour or St. John of Lateran	about 440
Regular Canons of St. Geneviève	511
Monks and Nuns of St. Benedict	516
Monks and Nuns of Monte Cassino	before 526
Monks of St. Gregory	595
Monks and Nuns of St. Columba	624
Cluniac Monks and Nuns	912
Camaldule Monks	1012
Val-ombreuse Monks	1040
Regular Canons of St. Laurence	1050
Regular Canons of St. Denis	1067
Camaldule Nuns	1073
Grandmont Monks	1076
Carthusian or Chartreuse Monks	1084
Knights Hospitalers	1092
Regular Canons of St. Anthony	1093
Friars of St. Anthony	1095
Cistercian or Citeaux and Clairvaux Monks and Nuns	1098
Order of St. Sepulchre	about 1100
Fontevrault Monks and Nuns	1100
Val-ombreuse Nuns	1100
Savigni, or <i>Fratres Grisei</i>	1105
Regular Canons of St. Augustine in England	about 1105
Tyron or Reformed Benedictines	1109
Regular Canons of St. Victor	1113
Regular Canons of St. Sepulchre	1114
Bernardine Monks	1116
Knights Templars	1118
Premonstratensian Canons and Nuns	1120
Knights of St. Lazarus of Jerusalem	before 1135
Monks of La Trappe	1140
Canons of St. Mary of Mertune	before 1143
Gilbertine Canons and Nuns	1148
Friars and Nuns of St. Augustine	1150
Knights of St. James of Compostella	1158

PRINCIPAL RELIGIOUS ORDERS.

	Date of Institution.
Carmelite Friars	1160
Friars of St. Lazarus and Magdalen	1160
<i>Frères Humiliés</i>	1166
Crossed or Crouched Friars	1169
<i>Porte-Épées</i>	1186
Monks of the Order of Humility	1190
Teutonic Knights	1190
Regular Canons of St. Mark of Mantua	1194
Canons of the Holy Trinity for the Redemption of Captives	1198
Regular Canons of the Holy Ghost	1198
Dominican Friars and Nuns	1206
Jean Bonites,—Eremites of St. Austin	1209
Franciscan Friars and Nuns	1209
Regular Canons of the Holy Cross	1211
Hermits of St. Paul	1215
Friars de Sacco, or <i>Bons Hommes</i>	before 1216
Friars of the Order of Mercy for the Redemption of Captives	1218
Friars of St. Mary	1218
Third Order of Penitents	1221
Nuns of Chartreuse	1232
Servants of St. Mary—Friars	1232
Celestine Monks	1244
Female Eremites of St. Augustine	1256
Regular Canons of the Order of Penitence	1257
Flagellants	1260
Friars of St. Alexis or Cellites	1300
<i>Les Frères Unis</i>	1328
Friars and Nuns of St. Bridget	1363
Jeronimites, or Eremites of St. Jerome	1366
Eremites of Mont Bel	1380
Franciscan Friars of the Strict Observance	1402
Friars of St. Ambrose	1431
Carmelite Nuns	1452
Minims or Friars of St. Paul	1452
Nuns Minims	1495
White Penitents	1503
Indian Monks	1506
Capuchin Friars	1528
Barnabites	1530
Jesuits	1534
Ursuline Nuns	1537

SUCCESSION

OF

ARCHBISHOPS AND CONTEMPORARY KINGS.

Archbishops.	Conse- cration.	Consecrators.	Acce- sion.	Death.	Contemporary Kings.
Richard Grant . .	1229	{ Hen. Rochester . . . } { Jocel. Bath }	1229	1231	Henry III.
		{ Roger London }			
		{ Peter Winchester . . }			
		{ Jocelin Bath }			
		{ Will. Worcester . . . }			
		{ Will. Exeter }			
Edmund Rich . .	1234	{ Ralph Chichester . . }	1234	1240	Henry III.
		{ Henry Rochester . . . }			
		{ Robert Sarum }			
		{ Hugh Ely }			
		{ Luke Dublin }			
		{ John Ferns }			
Boniface	1245	{ Innocent IV. }	1245	1270	Henry III.
		{ William Bath }			
		{ Nic. Winchester . . . }			
		{ Laur. Rochester . . . }			
		{ Rich. S. David's . . . }			
		{ Hugh Ely }			
		{ Roger Lichfield . . . }			
Robert Kilwardby	1273	{ Walt. Exeter }	1273	1279	Edward I.
		{ Rich. Lincoln }			
		{ Roger Norwich }			
		{ Will. Llandaff }			
		{ An. Bangor }			
		{ Godf. Worcester . . . }			
		{ An. S. Asaph }			
John Peckham . .	1279	{ Nicholas III. }	1279	1292	Edward I.
Robert Winchelsey	1294	{ Gerard C. Sabina . . }	1294	1313	{ Edward I. } Edward II.
Walter Reynolds .	1308	{ Robert }	1313	1327	Edward II.
Simon Mepeham . .	1323	{ Peter C. Præneste . . }	1323	1333	Edward III.
John Stratford . .	1323	{ Vitalis C. Albano . . }	1333	1343	Edward III.
Thomas Bradwardine	1349	{ Bertr. Card. S. Marc. }	1349	1349	Edward III.
		{ Ralph London }			
Simon Islip	1349	{ Will. Winchester . . }	1349	1366	Edward III.
		{ John S. David's . . . }			
		{ Will. Winchester . . }			
Simon Langham . .	1362	{ Robert Sarum }	1366	1376	Edward III.
		{ Ad. S. David's }			
		{ Simon }			
William Whittlesey	1362	{ Rich. Nazareth }	1368	1374	Edward III.
		{ Thomas Lamberg . . . }			
		{ Will. Winchester . . }			
Simon Sudbury . .	1362	{ Robert Sarum }	1375	1381	{ Edward III. } Richard II.
		{ Ad. S. David's }			
William Courtenay	1370	{ S. London }	1381	1396	Richard II.
		{ William }			
Thomas Arundel . .	1374	{ Simon London }	1397	1414	{ Richard II. } Henry IV. } Henry V.
		{ Thomas Rochester . . }			

TABLE OF CONTEMPORARY SOVEREIGNS.

A. D.	ENGLAND.	SCOTLAND.	GERMANY.	FRANCE.	POPE.	SPAIN.
1228	Henry III.	Alexander II.	Frederic II.	St. Louis IX.	Gregory IX.	Ferdinand IV. (<i>Castile.</i>) James I. (<i>Aragon.</i>) Sancho VII. (<i>Navarre.</i>) Theobald I. (<i>Navarre.</i>)
1234	
1241	Celestine IV.	
1243	Innocent IV.	
1245	Alexander III.	.....	.....	.....
1250	Conrad IV.	.....	.....	Alphonso IV. (<i>Castile.</i>) Theobald II. (<i>Navarre.</i>)
1252	
1253	William of Holland.	.....	.....
1254	Richard D. of Cornwall.	.....	Alexander IV.	
1257	
1262	Urban IV.	
1264	Clement IV.	
1270	Philip III.	.....	Henry I. (<i>Navarre.</i>)
1271	Gregory X.	
1272	Edward I.	.....	.....	.....	.....
1273	Rodolph of Hapsburgh.	.....	.....
1274	Joanna I. (<i>Navarre.</i>) Peter III. (<i>Aragon.</i>)
1276	Innocent V.	
—	Adrian V.	
—	John XX.	
1277	Nicolas III.	
1281	Martin IV.	
1284	Sancho IV. (<i>Castile.</i>) Alphonso III. (<i>Aragon.</i>)
1285	Philip IV.	Honorius IV.	
1286	Margaret.	.....	.....	Nicolas IV.	
1288	John Baliol.	.....	.....	.....	James II. (<i>Aragon.</i>)
1291	
1292	Adolphus of Nassau.	.....	.....
1294	Celestine V.	
1295	Boniface VIII.	Ferdinand IV. (<i>Castile.</i>)
1296	Interregnum.	.....	.....	.....
1298	Albert of Austria.	.....	.....
1305	Benediet X.	
1305	Clement V.	
1306	Robert I.	.....	.....	.....
1307	Edward II.	.....	.....	.....	.....
1308	Henry VII.	.....	.....	Alphonso V. (<i>Castile.</i>)
1312	
1314	Louis IV.	Louis X. k. of <i>Navarre.</i>	.....
1316	John I.	.....
1316	Philip V.	John XXI.	
1322	Charles IV.	.....
1327	Edward III.	.....	.....	.....	Alexander II.	Alphonso IV. (<i>Aragon.</i>) Joanna II. (<i>Navarre.</i>)
1328	Philip VI.	.....
1329	David II.	.....	.....	Benediet XI.	
1334	Peter II. (<i>Aragon.</i>)
1336	
1342	Clement VI.	
1346	Charles IV.	.....	.....
1349	Charles II. (<i>Navarre.</i>) Peter I. (<i>Castile.</i>)
1350	John II.	.....
1353	Innocent VI.	
1363	Urban V.	
1364	
1364	Charles V.	.....	Henry II. (<i>Castile.</i>)
1369	
1371	Robert II.	.....	.....	Gregory XI.	
1377	Richard II.	.....	.....	.....	.....
1378	Wenceslaus.	.....	Urban VI.	
1379	John I. (<i>Castile.</i>)
1380	Charles VI.	.....
1386	Charles III. (<i>Navarre.</i>) John I. (<i>Aragon.</i>)
1387	Henry III. (<i>Castile.</i>) Martin (<i>Aragon.</i>)
1390	Robert III.	.....	.....	Boniface IX.	
1395	
1399	Henry IV.	.....	.....	.....	.....
1400	Robert.	.....	.....
1404	Innocent VII.	
1406	James I.	.....	.....	Gregory XII.	John II. (<i>Castile.</i>)
1409	Alexander V.	
1410	John XXII.	
1411	Sigismond.	.....	.....
1412	Ferdinand I. (<i>Aragon.</i>)
1413	Henry V.	.....	.....	.....	.....

LIVES

OF THE

ARCHBISHOPS OF CANTERBURY

BOOK III.—*Continued.*

CHAPTER X.

JOHN STRATFORD.

Born at Stratford-upon-Avon.—Parentage.—Educated at Merton College, Oxford.—Graduates in Law.—Counsel for the University against the Dominicans.—Early Ecclesiastical Preferments.—Eminent as a Lawyer.—An M.P.—A Clerk in Chancery.—Dean of the Court of Arches.—A Diplomatist.—Embassy to John XXII.—Bishop of Winchester.—His Appointment opposed by the Government.—Restored to favour.—Takes part in the Revolution of 1327.—His Conduct towards Edward II.—Assists at the deposition of the King.—Persecuted by Isabella and Mortimer.—Obliged to conceal himself.—Restored to power by the Counter Revolution.—Pilgrimage to France.—Lord Chancellor.—Eminence as a Diplomatist and Statesman.—Parliamentary Reform.—Formation of a separate House of Commons.—A Law Reformer.—Translation to Canterbury.—Peculiarities of his appointment.—Encourages trade.—His Policy as chief Adviser of the King.—Disagreement with Benedict XII.—His View of the French War.—Vigour of the Minister.—Intrigues against the Ministry of Stratford.—Perplexities of Government.—His Quarrel with the King.—*Libellus Famosus*.—Spirited but temperate conduct of the Archbishop.—Summoned to Parliament.—Persecuted by the new Ministry.

CHAP.

X.

John
Stratford.
1333-48.

The proctors of the University contended that it was an English case, and ought to be tried in the English courts; and they succeeded. Certain commissioners having been appointed, both parties were heard, and a compromise seems to have been the result, which placed the Dominican houses in a position very similar to that which was occupied in our own times by New College in Oxford, and by King's College in Cambridge. The founders of these secular institutions probably urged the precedent set by the Friars, to obtain exclusive privileges for their respective establishments.

At what time Stratford was ordained, where, and by whom, I have not discovered; but he was certainly in holy orders before the year 1319, for he then became Archdeacon of Lincoln, and he was soon after a Canon of York.* These preferments he held, performing the duties by deputy, in order to secure for himself an income while pursuing his studies or performing his duties as a lawyer.

As a lawyer, he soon rose to eminence in the King's courts; and during the years 1317 and 1318 he was summoned, with other lawyers, before the Council to give his opinion, as an expert, on various important subjects.† In the following year, he sat in the House of Commons as a member of Parliament,‡ and from the place in which his name occurs, it is conjectured by Mr. Foss that he was either an officer of the Exchequer, or perhaps a clerk in Chancery.§ In 1321 he became a judge, Archbishop Walter Reynolds having appointed him Dean of

* Ang. Sac. i. 316.

† In *Fœdera*, ii. 464, he is styled "Juris civilis professor." At p. 463 there is a letter from Edward II. to the pope, in which the name of Master John de Stratford, Archdeacon of Lincoln, occurs. He is frequently mentioned in the letters of the period. At p. 509 there is a letter addressed to himself.

‡ Parl. Writs, II. pt. ii. 1471.

§ Foss, iii. 515.

the Court of Arches. The jurisdiction of this Court, from the union of several other offices, discharged by the same judge, became subsequently more extensive; but in the time of Stratford it had relation, exclusively, to the Peculiars of the Archbishop. These amounted to fifty-seven; the thirteen in the City of London having been formed into a Deanery.

It was as a common lawyer that Stratford was distinguished;* and he was probably not deeply versed in the Canon law by which the ecclesiastical courts were regulated; for it is stated of him that, in his adjudication of the cases brought before him, he displayed a quick discernment and a consummate prudence, rather than a knowledge of the law. But these were the qualifications which would render him peculiarly valuable as a diplomatist; and in that capacity he was soon employed by the government.

He was associated with Reginald Asser, Bishop of Winchester, in the various negotiations, which the interference of John XXII. in the affairs of Scotland had rendered peculiarly perplexing and difficult. Between the years 1321 and 1323, he was engaged in frequent embassies to the papal court at Avignon. Although he is described not only as Doctor of Laws, but also as the king's ambassador, the position he occupied was one rather of real than of ostensible dignity. He did the work, while all that related to the dignity of the embassy—a point much thought of—was represented by the Bishop of Winchester, who defrayed the chief expenses. The ability and diligence of Stratford, however, could not escape the penetration of John XXII., who determined to bind the rising English statesman to himself, by the ties of gratitude and motives of self-interest. On the 12th of

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* Wood, 152, Legis Cæsareæ professor.

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April, 1323, the Bishop of Winchester died suddenly at Avignon. The death of a prelate *in curia*, that is, while in attendance at the papal court, according to the decretals, gave to the pope a right of nominating his successor.*

Had the English government been strong, the pope would probably have consulted the king, before exercising a right, which, though not disputed, was still regarded as a usurpation. It was not disputed on this occasion, for, while the Archbishop of Canterbury solicited the nomination of Stratford, to whom his patronage had been already extended, the king, Edward II., was as urgent for the appointment of Robert de Baldok, a creature of the Despencers.

Neither of the candidates were divines; both of them were lawyers and statesmen. The pope did not hesitate between the nominee of the Archbishop of Canterbury, of whose ability he had himself experience, and the representative of the favourite of a weak sovereign. Consequently, at Avignon, on the 26th of June, 1323, John Stratford was consecrated Bishop of Winchester by Vitalis, Cardinal of Albano.

The indignation of the king at the rejection of his request, was inflamed by the Despencers, who regarded the rejection of Baldok as an insult offered to their party. The disappointed Baldok received the great seal in the August following the consecration of Stratford; and the vengeance of the whole faction was now directed against the new prelate. He was recalled and deprived of his office as ambassador. Proceedings were instituted against him in the Court of King's Bench, for, although the king had recognised the right of the pope to nominate under the circumstances, yet to accept the see from

* By the decree *Ex Debito Extravag. Comm. lib. I. tit. iii. c. 4*, Stratford is described as "*in curia tunc præsens.*"—*Ang. Sac. i. 316.*

the pope, without obtaining first the consent of the crown, was still an offence against the common law of the land. In all legal documents his episcopal title was denied him; for without the king's permission he could not take possession of the bishopric. His property was confiscated, and a royal proclamation was issued forbidding any one to harbour or relieve him.*

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The persecution, however, did not last long. The archbishop interposed his good offices, and as there was no personal feeling of animosity against the bishop on the part of the king, and as the government of the Despencers was tottering to its fall, he was successful. The temporalities of the see of Winchester were, therefore, restored to Stratford, on the 28th of June, 1324; although he had to purchase a recognition of his episcopal authority by a bond, to pay the king ten thousand pounds, a payment which was never enforced.†

Before the close of the year the Bishop of Winchester was again employed on foreign service. It does not appear whether, while he was abroad, he was made acquainted with the intrigues of the queen, who went to France in the spring of 1325; but it is certain, that he took a conspicuous part in the Revolution which was accomplished in 1327.

A mystery, as we have had occasion to remark before, surrounds this whole affair, which has not yet been penetrated.

As the king did not labour under any special delusion, he could not be treated as a madman; but his weakness

* He suffered "innumeras tribulationes et persecutiones, adeo quod nullus sibi victualia vendere aut domos ad inhabitandum vel morandum conducere ac accommodare audebat."—Ang. Sac. i. 19. See also *Fœdera*, ii. 526, 527.

† Parl. Writs, II. pt. ii. app. 258.

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of character, degenerating, as such weakness often does, into immorality, rendered him the easy victim of designing men, who would pander to his vices and indulge him in his extravagances. To this weakness, which amounted to moral insanity, a considerable degree of obstinacy was, in this case as in many others, attached. At a period when the powers of the prerogative were great, and when those powers were exercised by unscrupulous men, who converted the king into a puppet; the evils resulting from the mismanagement of the government might easily become intolerable. The sentiment of loyalty, under the feudal system, differed materially from those notions upon the subject which have prevailed since the days of the Stuarts. The king, as the chief of the nation, was bound, in the first place and before all things, to afford protection to his subjects; and to him, as their protector, the people were, consequently, bound to render certain duties. If the king, as in the reign of Henry III., was unwilling, or, as in the reign of Edward II., was unable, to afford protection to his people—that is, if he were unwilling or unable to perform his part in the national compact—the people might withdraw their allegiance.

We are not surprised, therefore, to find that the parliament determined that Edward II. should cease to reign; although there was a doubt as to the proper or best mode of effecting the object and of carrying out the national will; occasioned by that respect to law, which always has predominated in the English character, and has induced us to look out for precedents, even under exceptional cases and at revolutionary periods.

What creates surprise is the conduct, not of the parliament, but of Edward himself. It is surprising that one who, if easily led, could still be perversely obstinate when opposed, and who was not wanting in animal cou-

rage, should have yielded on this occasion so tamely;—that he should have been so utterly abject—that he should have abstained not only from resistance which he could not offer with any probability of success, but even from remonstrance.

There are certain facts to be observed: first, the submission of the king to the will of parliament, without remonstrance or murmur; secondly, the gratitude which he expressed to parliament for having elected his son; thirdly, the firm determination of his son not to accept the crown, unless it were first resigned by his father, whose right to possess it was implied in his right to resign it; fourthly, that a report prevailed, that Edward of Carnarvon was not the son of the greatest of the Plantagenets, King Edward I. It was said that the royal child of Edward and Eleanor having been put out to nurse, was mangled in the face by a sow, which, some how or other, got into the royal chamber; and that the affrighted nurse, snatching him from the cradle, supplied his place by the son of a carter.

To the story just mentioned frequent allusion is made in the political songs of the day, though means were taken in the reign of Edward III. to suppress the report. So far, however, in spite of every precaution, had it obtained credit, that an impostor appeared in 1318, with marks on his face, said to be those inflicted by the sow, who claimed to be the veritable Edward of Carnarvon.

I cannot but think that, through the influence of the queen and her paramour Mortimer, using as their agent the unprincipled Orlton—bishop first of Hereford then of Winchester—the weak mind of the king was made to give credit to this improbable story; while, on the other hand, the great statesmen of the day, such as Stratford, seeing the fatal consequences to the reigning dynasty of the propagation of such a report, not only exerted themselves

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to prevent its circulation, but were most careful to avoid any reference to it in the proceedings of a revolution; which, though regarded as a necessity, was conducted on principles that would lead to as few changes as possible in the constituted order of things. The illegitimacy of the prince would be involved in the illegitimacy of his father; and by mooted the question, a pretender to the throne would be encouraged to raise the standard of rebellion.

A key to many difficulties is afforded by our taking this view of the circumstances of the case. Why should Stratford, in the first place, be selected to take an active part in the revolution? The queen and Mortimer hated him. But the young Prince Edward selected him, we know, to be his adviser. The adviser of the prince was not likely to recommend measures, that would imperil the dynasty, which the parliament was determined to sustain. The queen lent her support to the minister who had sent in his adhesion to the revolutionary party; but she became his bitter enemy, when she found that Stratford's design was to invest the young prince with the full powers of royalty, and to constitute, as the adviser of the crown, not Mortimer, but himself. She determined to be *de facto*, as well as nominally, regent; Mortimer was determined through the queen to be, though not nominally, yet in reality, king. The queen and Mortimer saw that to this arrangement the principles and the ambition of Stratford would be opposed, and on the destruction of Stratford they were resolved.

It is not, however, my business to pursue this subject farther. I have only here to remark, that up to a certain point the two parties—that of the queen and that of the prince—acted in harmony. The parliament assembled in January 1327. The question which the parliament was to decide was, whether Edward the father, or Edward

the son, should reign over England. When it was determined that the father should cease to reign ; then to John, Bishop of Winchester, the adviser and friend of the prince, was assigned the delicate and difficult task of drawing up the reasons to be constitutionally assigned for a measure so extreme. The work was completed to the satisfaction of parliament by the bishop and his secretary. The next step was to notify, in due form, to the king, now a prisoner at Kenilworth, the determination of the country.

It was determined that every class in the community should be represented. At first, it was thought, that every knight of the shire should be on the commission—a fact which shows how much the influence of the Commons had increased, though they did not yet constitute a separate house. But it was finally determined that the commission should consist of three bishops, two earls, four barons, two abbots, two justices, a certain number of the citizens of London, and of the burgesses of the Cinque Ports. Sir William Trussel was appointed procurator or proctor of parliament. He is called by Grafton speaker of the House of Commons ; but, as the Commons did not as yet sit as a separate house, this probably means that he acted as their representative, in conjunction with the persons already mentioned.* They were to demand of Edward the voluntary resignation of his crown ; and, if he refused, they were authorised then to give up their homages, and to act according to their discretion.

It was mercifully and wisely determined that the king should be prepared for an event of such importance ; and that he should be induced to submit with a good grace to what was now inevitable. The persons selected to wait upon Edward, from whom some opposition was

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* My chief authorities for the following statements are Walsingham and De la More.

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anticipated, were the Earl of Lancaster, a kinsman of the fallen monarch, and John de Stratford, the counsellor and friend of the young prince. Constrained to resort to extreme measures in demanding the abdication of the king, they both of them commiserated the fallen man, and discharged the unpleasant duty to which they were called, in a manner creditable to their feelings.

The earl and the bishop found the king humiliated and compliant. They promised him the luxuries of a court, and a retention of those external ensigns of royalty, which were all that he had cared for, if he would resign the substantial power, which he had only valued as means conducive to the indulgence of his private tastes and pleasures. He conceded everything; and it only remained to make preparations for the resignation of the crown, under such forms as might give to a revolution in fact, the appearance of a mere abdication.

When the way was thus prepared by Lancaster and Stratford, the other commissioners arrived at Kenilworth. On the 25th of January—the conversion of St. Paul—the proper officers arranged in the presence-chamber the crown, the sceptre, and the other royal ornaments. Adam Orlton, Bishop of Hereford, assumed, or was elected to, the office of prolocutor of the commission.*

One by one in solemn silence the commissioners each stood in the place assigned to him. A signal was given, and the door leading to the private apartment of the king was opened. Edward appeared, unattended; not in royal robe, or in armour, but in a morning gown. He was as pale as death. Not a word was yet uttered; but Adam Orlton, Bishop of Hereford, stood forth to address the king. At the sight of this prelate Edward was seen to

* Orlton was consecrated in 1317, Burwash, Bishop of Lincoln, in 1320, and Stratford in 1323. We may presume, therefore, that Orlton claimed to lead on the ground of his priority of consecration.

totter : Stratford and the Earl of Lancaster rushed forward, and caught him in their arms. They were just in time to prevent him from falling, for he had fainted. They laid him on the ground, and there he continued to lie, while his subjects looked down in silence, upon their fallen king ; waiting to see whether this were only a swoon, or whether, as was possible, it was the sleep of death.

With returning life revived something of the spirit of a Plantagenet. Edward, raised to his feet, refused support. The Bishop of Hereford then read the address, which repeated the articles drawn up by Stratford and ratified by parliament, in which the charges of misgovernment are stated as things notorious and beyond contradiction. He concluded by offering to Edward, in the name of the commonwealth, the alternative of an abdication in favour of his son, or of submitting the government of the country to a Regent to be appointed by parliament.

While the Bishop of Hereford was speaking, tears were coursing one another down the poor king's cheeks. He continued to weep, and his sobs, for a time, rendered him unable to give utterance to words. When he became more composed, he expressed his contrition for having misconducted himself, and he humbly asked forgiveness from all who were present. He expressed his readiness to abdicate, and thanked his people for choosing his son to succeed him.

The prelates then came forward, and into their hands he delivered the crown. The sceptre and other insignia of the royal office he solemnly placed in the hands of the persons appointed to receive them. Sir William Trussel, who acted for the chief justice of England, and had been chosen proctor of the whole parliament, now stood forth, and said :—

“I, William Trussel, Proctor of the Prelates, Earls,

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and Barons, and other people in my proxy named, having for this full and sufficient power, do surrender and deliver up to you, Edward, King of England before this time, the homage and fealty of the persons in my proxy named, in the name of them and every of them, for certain causes therein mentioned; and do return them up to you, Edward, and acquit or discharge the persons aforesaid in the best manner that the law and custom can give it, and do make this protestation in the name of all those that will not for the future be in your fealty or allegiance, nor claim to hold anything of you as king; but account you as a private person, without any manner of royal dignity.”*

The high-steward, Sir Thomas Blunt, immediately broke his staff of office; and soon afterwards, he discharged all the officers of the royal household, as if the king was defunct.

Stratford was now appointed one of the twelve guardians of young King Edward III., or one of that board of regency of which Lancaster was nominally the head.

It is easier to commence than to conclude a revolution; and the objects, which the queen and Mortimer had in view could not be accomplished, if Stratford, whose influence over Lancaster and the king was well known, should remain in office. What were Mortimer's ulterior views it is difficult to surmise. At the present time, it was his determination to govern the country in the queen's name, and, as a first step, the destruction of Stratford was determined upon. A demand was accordingly made upon him for the payment of the ten thousand pounds, for which he had given his bond when he was put in possession of the temporalities of the see. It was to serve some such purpose as this, and to place a rising statesman at the mercy of the govern-

* Parl. Hist. i. 186.

ment, rather than from any expectation of payment that the bond was originally demanded; and Stratford knew that the demand now made was a declaration of war on the part of the queen and Mortimer, who had secured the majority of the council. The popularity of the queen had not yet waned. The Bishop of Winchester was well aware that his sacred character would be no protection to him from the violence of such opponents, and that his only chance of safety was in flight. His flight strengthened the hands of his enemies, who represented themselves as only desiring the capture of a public defaulter. When Stratford, therefore, sought sanctuary at Wilton, the monks warned him that they were not strong enough to prevent its violation by the mercenaries of Isabella and Mortimer, now on their march to Wiltshire. As these men approached, Stratford concealed himself, with a few followers, in the surrounding marshes. From these damp quarters he escaped to Honiton. Hither the spies of government dogged his steps. He now thought of resistance, and repaired to Winchester. Wolvesey Castle was the bishop's palace, and had been made a fortress of considerable strength by Henry of Blois, in the time of King Stephen.* But it had been soon after dismantled by Henry II., and Stratford perceived, that it would not be in a condition to stand a siege. It had, indeed, afforded protection to the half brothers of Henry III. in the Barons' war, but at that time they could appeal to the loyalty of the people, and the old Norman castle, which, erected by William the Conqueror, occupied a commanding position on the south-west of the cathedral, was in the hands of the royal party. This castle was now occupied by the forces

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* In times, not yet forgotten by the writer, the Winchester boys would assemble amidst the ruins of Wolvesey, to hold a debating society—a parliament, at which speeches not ineloquent were delivered.

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of the queen and Mortimer; and a bishop, scarcely known to the people of his city, one who had hitherto regarded his diocese only as a source of wealth, was not likely to obtain a cordial support from the citizens, even if any support could have been rendered efficacious, when, by holding the other castle, the enemy was in command of the well-fortified walls, flanked by numerous towers, and defended by bastions.

Finding that open resistance to the government was, as yet, impossible, the bishop now fled to another residence of the Bishops of Winchester—Bishop's Waltham. But still the vigilant eye of the enemy was upon him; and Stratford was obliged to seek security in the neighbouring woods. In the recesses of the forest, the mercenaries of the government were unwilling to entangle themselves; for here their superior numbers would have been of little avail. The bishop had with him a force sufficient to protect him from the attack of the other outlaws, who sought shelter from the pursuit of their enemies. There seems, indeed, to have been a kind of common law, that the forest should be as a sanctuary, with the privileges of which, no one, who was himself an outlaw, would interfere. Under the greenwood-tree the bishop had the daily service performed; and as the chaplains chanted the psalms, they would compare their persecuted master to the outraged David when flying from the unjust wrath of Saul. Then would the dogs be called, and the bows were bent, and hunting became a business as well as a sport; for the venison, which the bishop, as a Stratford man, dearly loved, was to be supplied by the cross-bows pointed by his attendants—perhaps by his own right reverend hand.

In this his retirement, of which the remembrance was not unpleasant, Stratford found means of communicating with the king, and of warning him of his own danger,

unless he speedily found the means of rescuing himself from the dominion of the queen and Mortimer. The king was advised to prepare the troops, in whom he could trust for action on any sudden emergency. Both king and bishop, according to the fashion of the day, endeavoured to enlist, in their service, the spiritual hierarchy; who, in the world unseen, were supposed still to take a part in the affairs of this world. They vowed to make pilgrimages to sundry shrines, if the saints, thus revered would make intercession for them.

On the fall of Mortimer, Stratford was, of course, restored to honour. He received the great seal on the 28th of November, 1330, and was immediately released from all arrears of his old obligations.*

And what was the first thing that occurred to the minds of the warlike king and the astute statesman on their resumption of power?

We are told, that they arrayed themselves in the disguise of merchants, and passed over to France, there to visit certain shrines, to which, in their time of danger and distress, they had vowed a pilgrimage. It was a service of danger; for by the law of nations, as it then existed, the king, if found in a country not his own, might have been made a prisoner, and the ransom, either in money or in territory, might have caused the nation expense and trouble.†

* Rot. Claus. 4 Edw. III. M. 16. Rot. Parl. ii. 60.

† Stow, 230. Polyd. Verg. xix. 362. The authorities are not entirely to be depended upon; but they record a tradition of an event which was apparently so ill-timed, and so objectless as an invention, that I am inclined to give credit to the statement. It may have been well to let things cool down after the counter revolution, and before the adoption of energetic measures. In spite of dates, we might suspect the pilgrimage to have occurred just before the overthrow of Mortimer. But it is not probable, that Edward would have obtained

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Stratford retained office, at this time, for four years; and, as Edward himself describes him in the *Libellus Famosus*, he was to the king as a father, and was next to him the most admired of all men.* He deserves, therefore, to be ranked among the most distinguished of the many great statesmen whom this country has produced.

Stratford is not indeed to be compared with Bishop Burnell, the illustrious chancellor and minister of Edward I.; but he was a true patriot. He maintained the principles of *Magna Charta*, and habituated the young king to seek not merely money, but counsel and advice from his parliaments.

The state of the country, when Stratford became the chief adviser of the crown, was deplorable. In a communication made to parliament, it is stated, that divers people, defying the law, had gathered together in great companies, to the destruction of the king's subjects, the people of holy Church, and of the king's justices; taking and detaining some of them in prison, until, to save their lives, they paid great fines or ransoms at the pleasure of the evil-doers; robbing some of their goods and chattels, putting others to death, and doing other misdeeds and felonies.†

Among the personages thus captured by the banditti, if we may employ a word which will suggest a comparison between England of the fourteenth century and Italy of the nineteenth, was the Lord Chief Justice of England, Sir Robert Willoughby.

To meet this evil, the system of county magistrates was adopted—a vigorous and important measure, by which, besides the itinerant justices, long since established,

permission to quit the country, and, if he had done so, Mortimer would have contrived to have him detained in France.

* Birchington, Ang. Sac. i. 24.

† Rot. Parl. i. 214.

justices of the peace were instituted in every shire, with full power to punish offenders, and to appoint officers for their apprehension.

The energies of the Bishop of Winchester were, at this time, severely taxed. While he was chancellor, he went abroad on a mission relative to the affairs of the duchy of Aquitaine, and on his return he had to open the parliament at Westminster. This was usually done by the chancellor in a speech from a text of Scripture, and the speech was scarcely discernible from a sermon. The fact is, that all that was required of parliament was to sanction or to reject the measures proposed to it by the king's government; and, if the measures were sanctioned, to vote the supplies. Except in times of great excitement, the policy of the country was left in the hands of the king and his council. Parliament was not yet a channel to preferment, and the majority of the members were anxious to be released as soon as possible from their attendance. Hence the merit or the demerit of the political measures of the government must attach to the king and his ministers.

To the political wisdom of this minister must, however, be attributed a measure of parliamentary reform, which had considerable influence in raising the parliament to that importance, which it soon after reached.

From the time of Simon de Montfort, the Commons had been represented in the great council of the nation; but it was not till 1332, that the knights, citizens, and burgesses were permitted to form a separate and independent house.*

* Parl. Hist. i. 214. The Commons were at first only required to advise the "Proceres," but the declaratory statute of York affirmed that the legislative authority resided only in the king, with the assent of the prelates, earls, barons, and commons assembled in parliament, and that every act not done by that authority should be void and of none effect.—Perry, xv.

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The same principle was adopted when the clergy assembled in synod. Two houses were formed, and thus an English synod assumed the form of a convocation, similar to that which is in existence now.

When this principle was forcing itself into notice, the question arose, whether, when certain questions, beyond those relating to taxation, were submitted to the judgment of the estates of the kingdom, the bishops were to discuss them as barons in parliament or simply as prelates in convocation. The prelates of this age were seldom divines, and they were influenced in their decisions less by any objects bearing upon matters purely ecclesiastical, than by political considerations.

Stratford, one of the people, acted on the principle of Edward I., and sought, through the popular side of the constitution, to control the aristocracy. The greater nobles were accustomed to attend parliament with an armed retinue, which, if it did not amount to a little army, resembled what we should now call a regiment of soldiers. Each potent earl encamped his forces on the open ground in the vicinity of a town, if parliament assembled in the provinces; if it assembled at Westminster, his inn or castle became a sort of barracks, where the strictest discipline was not enforced. The king could maintain his own, when his forces were the more numerous; but the lesser barons, the knights, and the burgesses might be easily overawed; and by arrows more bitter than those which fester from the tongue, the questions of the day might be silenced or decided.

It was as a friend to parliamentary government, that Stratford advised the issue of a proclamation, before the meeting of parliament in 1332, directing that no man, during its session, should presume to wear in the suburbs of London or Westminster a coat of mail or any weapon whatsoever. What Stratford commenced became, from

that time, a custom; and whenever Parliament met, a similar proclamation was issued. No one was permitted to hold games to the disturbance of the parliament, or any other plays for the amusement of men, women, and children.

Stratford left the impress of his mind upon the Courts of Law as well as upon parliament. The Court of Chancery had hitherto been ambulatory, and the chancellor sat wherever the king might hold his court. The present chancellor—Bishop of Winchester—procured a royal mandate, by which the Court of Chancery was henceforth to be stationary at Westminster.

During all this period, and throughout his tenure of office, Stratford was engaged in embassies to France and other foreign powers. The consequence was, that he was frequently obliged to perform, by deputy, the duties devolving upon him as a lawyer and as an ecclesiastic. In the Court of Chancery his duties were performed, at various times, by his brother Robert, Henry de Clyff, William de Melton, Archbishop of York, and some others. His duties as a bishop were performed by a bishop *in partibus*, who acted as a suffragan to the Archbishop of Canterbury, and the Bishop of London, as well as to the Bishop of Winchester. He first employed in this capacity Peter, Bishop of Corbavia, in Dalmatia,* who assisted at the consecration of a bell at St. Paul's, in 1331, and at the consecration of a bishop in 1332. After the death of Peter the same office was discharged by Benedict "Cardicensis" (Sardis or Sardica), who was prior of the Austin Friars at Norwich.†

The neglect of a non-resident prelate performing the duties of his office by a curate, so to say, was not likely, in

* Farlati, iv. 95. He assisted at the consecration of Roger Northburg to the see of Lichfield, June 27th, 1332.—Stubbs, 52.

† Stubbs, 143.

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that age, to interfere with his preferment in the Church. The Church was, at this time, co-extensive with the country; and in serving his country, a bishop was regarded as doing his duty to the Church. When, therefore, Edward III. determined, that his chancellor should be translated from the see of Winchester to the primacy, the country endorsed the proceeding; and his advancement was regarded as a tribute to the merits of one, who had not only acted with discretion, but who had suffered persecution at the hands of an ousted and unpopular government.

On the death of Archbishop Mepham, the Bishop of Winchester was translated to Canterbury.

In his appointment there was a peculiarity, which the student of history will not fail to notice. The *congé d'élire* was as usual addressed to the chapter, and the king nominated Stratford as the person he expected the chapter to elect or rather to postulate.

The tie which bound a bishop to the church to which he had been consecrated, was considered so binding and holy, that it could be dissolved only by the pope. It was regarded in the light of a divorce. The chapter, therefore, which required the translation of a bishop, postulated for his removal from the see of which he was in possession to the one to which he was elected. This had become in most cases only a form; but in this instance, Pope John XXII., or his advisers, took no notice of the postulation, but proceeded to appoint Stratford, "non virtute postulationis capituli Cantuariensis, sed proprio suo motu."*

This was one of those many attempts made, at this period, by the papal authorities to obtain, under the name of reservations or provisions, the entire patronage of all the higher preferments of the English Church; and it was to

* Murimuth, Chron. 72. When a person elected happened to be a bishop already, he was said to be "postulatus," not "electus."

frustrate this attempt that the Statute of Provisors was passed in 1351, which led to a compromise hereafter to be noticed. Edward III., however, at this period of his reign, did not perceive that the proceeding involved a principle; and, so long as his end was accomplished, he did not regard the means employed. The appointment to the see of Canterbury was virtually in his hands, and when the bulls for the translation arrived, he and his chancellor thought no more of the subject.* The temporalities of the see were restored on the 5th of April, 1334.

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On the 28th of the following September, the new archbishop resigned the great seal. His object in doing so is not apparent. His successor was his friend, Richard of Bury, a man of eminence, whom he had consecrated shortly before to the see of Durham. It is possible that Stratford entertained, on accepting the primacy, a wish to retire from political life, and to devote himself to the duties of his sacred calling; but if he did so, he soon found that he could not live without those excitements of public life, to which he had been accustomed from his youth. On the 6th of June, 1335, he was again in office, and distinguished himself by the zeal he displayed in the interests of trade.

* The bull by which this usurpation of the court of Rome over the church of Canterbury was attempted is still preserved. It is dated at Avignon, the 6th of the calends of December, and the 18th year of the pope's pontificate. The policy of the Roman court was, by increasing the number of bulls, to extract from the coffers of the provincial churches as much money, as possible, in the shape of fees. There were six bulls issued on this occasion. Besides those addressed to the chapter, there was one to the clergy and laity of the diocese of Canterbury, another to the people of the city and diocese, another to all the vassals of the church of Canterbury, another to all the suffragans of the church of Canterbury. All were published in the cathedral on the day they were received.—Battely, Part ii. Appendix 16.

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It is curious to remark how, in the revolution of ages, our position as a commercial nation has changed. In the fourteenth century the English monks and farmers—the Cistercians especially—directed their attention to the growing of wool, and we had enough and to spare. But we had no skilled artisans to supply the foreign markets with manufactured goods. The wealth of the country depended to a great extent upon the export of wool. In the nineteenth century, depending for our wealth upon coal rather than upon our flocks, we tend our sheep rather to supply the home market with good mutton, and importing our wool from people who have regard to the fleece rather than the carcase, our exports consist of the manufactured article. It is highly to the honour of Stratford, that he supported Edward in the measures he adopted, if he did not suggest them, by which he encouraged manufactures, partly through the introduction of foreign artisans. Woollen factories were established at York, and in Worcestershire; Norwich manufactured fustians; Sudbury, baize; Colchester, sayes and serges; Kent, broadcloth; Devonshire, kerseys.

It would have been well for the peace and comfort of Stratford's mind, if, on his appointment to the primacy, he had retired from political life. When the king began to think for himself, the promptings of a youthful genius were not so easily restrained, as at first, by the sober judgment of a less enthusiastic counsellor. Stratford evidently assumed, and retained too long, a kind of paternal relation to Edward, and was more ready to dictate than to consult.

I have taken some pains to ascertain what was the view really taken by Stratford with reference to the French war. I have examined patiently the statements and counter-statements made in the correspondence between him and the king, to which more particular reference will presently be made, comparing them with the his-

torical facts, and I come to the conclusion, that Stratford was a consistent as well as a patriotic statesman.

He did not doubt the right of Edward to the crown of France. He expressly calls Philip of Valois a usurper.

Off-hand historians, in these days, pronounce the claim of Edward to the throne of France preposterous and absurd. So it was, according to modern notions, and at a time when the law of succession has been settled and defined. But we are writing of times, when many points, now decided, were open to discussion. To decide between Balliol and Bruce, as to the right of succession to the Scottish throne, would be a matter of no difficulty at the present time, but it required the application of acute minds to the subject, before a judgment could be given in the reign of Edward I. Among the ancestors of Edward III. many sat on the English throne, their right to do so being undisputed by the majority of the nation, who would be, and indeed by some persons are, in the present age, regarded as usurpers.

We are not to suppose that Stratford was in advance of his age; and what was the prevalent opinion at this time upon the subject of the succession, we have in an ancient writer, Capgrave, who says:—

“Thanne rose the noyse thorw the lond that the kyng had rite to the crowne of Frauns be his modir. For Seynt Lodewik was the rithfulle kyng and eyir of Frauns. He had a son thei clepid Philippe; and that Philip begat anothir, thei cleped him Philip the Faire; wech Philip had IIII childyrn, Ysabelle, moder to kyng Edward; sche was eldest. The secunde was Lodewik; he was kyng aftir his fader. The third was Philip. And he had to dowteres; on was weddid to the erl of Flaunders, the othir to the Delfyn of Vienne, and both deied withoute issew. Thus deied this Philip withoute issew, which regned in

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Frauns aftir Lodewik. This same Lodewyk had to wyves, on was dowtir to the duke of Borgayn. She had no child: anothis was dowtir to the kyng of Hungarie, of whom cam Jon, cleped Posthumus. Than was this the ordre of kyngis. First regned Lodewik, the eldest son; and aftir him Jon Posthumus was treted as kyng. He deied withoute issew. Than regned Philip the Secund brothir, wech had to douteris, as we saide; and neythir of hem had issew. He ded, the third brothir regned, cleped Charles; and, because he had no child, he mad a statute that no woman schuld be eyir of Frauns, to forbarre the rite of kyng Edward, his sistiris son.”*

But it was one thing to admit the right, and another thing to assert it by force of arms; and Stratford was prepared to make the greatest sacrifices for the preservation of peace, considering, as he himself expresses it, “the peril to soul, body, and property from the drowning gulf of war.” Consistently with these principles, he headed the embassy, in 1337, which was sent to Philip to declare king Edward’s right to the crown of France; and in several other embassies he incurred danger, toil, and much expense. But his voice was still for peace. He said to Edward: “Assert your right: make that right the basis of a treaty with France, which shall be advantageous to England. Then, having effected this, renounce a claim, the maintenance of which can be advantageous to neither country.”

It was thus that the policy of Stratford was directly opposed to that of Pope Benedict XII., when, in 1337, that pontiff sent his legates into England to effect a reconciliation between the English and the French monarchs. Benedict was a learned and a pious man, and was sincerely desirous, no doubt, to stop any unnecessary effusion of blood. But he was a Frenchman, desiring, through peace, to promote the interests of the King of

* Capgrave, 206.

France. The pope and the primate agreed in their desire of peace ; but Stratford looked to English interests, Benedict to French. When the legates arrived in England, they were, in consequence, treated with the respect which was their due. The king sent his son, the young Duke of Cornwall, afterwards the celebrated Black Prince, to meet them.* The royal youth was attended by the Archbishop of Canterbury, the Earl of Warenne, and a few other prelates and lords. The king received the legates at Westminster in the inner hall, and granted them an audience in the painted chamber. The cardinals explained the object of their mission, and the king promised to lay their statement before his parliament. The parliament in due time assembled, and, says Capgrave, “whan it was aspied that they were more favourable to the kyng of Frauns than to the kyng of Ynglond, the archbishop roos up, and declared that they were not sufficient reformeres which held with the party.”†

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* The Black Prince was invested with the duchy of Cornwall by charter on the 17th of March, 1337, being the first who bore the title of Duke in England. From this time the dukedom of Cornwall has been vested in the heir to the English crown. The eldest son of the King of England is Duke of Cornwall by birth. He is Prince of Wales by special creation and investiture. The earldom of Chester was connected with the Principality, 21 Ric. II. To the dignity of Prince of Wales, Edward was appointed by his father, May 12th, 1343. He was the second English prince who bore the title. It was not bestowed on his father. It was first conferred on Edward of Carnarvon.

† Capgrave, 205.—Several councils were held at this period, which were probably called parliaments without being such strictly speaking. A council was summoned for the 6th of July to meet the king, wherever he might be. As the cardinals left England on the 10th, this may have been the parliament at which they received this answer. I do not find any more particular account of the proceedings of the cardinals; but from the strong feeling in favour of the war which immediately ensued, and from Capgrave's statement, we may infer that they said or did something offensive to the national pride. The feeling against any political interference on the part of the pope was extremely

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There was also a further view of the subject, which had considerable influence on Stratford's mind. Popular as the French war became after the first successes of Edward, there was, from the first, a powerful minority opposed to it. The question occurred, whether, if the crowns were united, Paris would not become the residence of the king, and England eventually a mere province of France. This feeling displayed itself strongly, even in parliament, when, yielding to foreign counsels, and at the suggestion of the celebrated Jacob van Artevelde, Edward assumed the arms and royal title of France. The proceeding was viewed with such national jealousy and suspicion, that Edward was obliged to enter into an explanation with his parliament, and pledge himself to maintain the national independence. So zealous was Stratford in all the political measures in which he embarked, that he crossed the Channel thirty-two times on various negotiations, and always at his own expense. But there was a strong influence at work to counteract the counsels of the archbishop, and to alienate the young king's mind from his old adviser and friend; and among those whose ambition

strong at this period, and the following principle was soon after expressed by a contemporary: "It is to be noted that the pope may often err against justice, and may excommunicate the true part, and give his benediction to the false part. He may grant his indulgence to those who are fighting on the false side; and then God will give His benediction to the true part, and the acts of the pope will not hurt it."—John of Bridlington, *Pol. Songs*, i. 165. The anti-papal spirit, not on religious but on political grounds, increased in vehemence during the papal residence at Avignon. The manner in which some writers assume, that the bishops must have always sided with the pope, displays an entire ignorance of mediæval feeling, and a forgetfulness that, in England, the clerical character was too generally assumed by statesmen and lawyers simply to obtain position and an income. At the siege of Tournay, Edward III. was attended by seven earls, eight bishops, 28 baronets, 200 knights, 9 000 archers, all out of England.—Grafton, 348. The word "baronets" is in Grafton, but he evidently means bannerets.

prompted them to war we must number Queen Philippa. She longed to see her husband a hero in the field of battle. Those who are acquainted with that extraordinary and interesting poem, the "Vows of the Heron," of which Robert of Artois is the hero, will see at once how powerfully foreign influence, supported by the queen, was brought to bear upon the young king's mind; while they will feel astonished at the prevalent mixture of courtesy and coarseness.*

The king, under the advice of Stratford, hesitated for some time; but, at last, the gauntlet was thrown down, and hostilities were commenced, not by Edward, but by Philip. Pending the negotiations, Philip attacked the seaports of England, and encouraged the most flagrant and cruel acts of piracy upon the coast, and invaded Gascony. It was on this account, that the parliament consented to a declaration of war. The conduct of the French king served the cause of the war-party, as it inflamed the anti-Gallican spirit, which now pervaded the country. To France was attributed, in the popular songs, the mingled qualities of the lynx, the viper, the fox, and the wolf.

Francia, fœminea, Pharisæa, vigoris idea,
 Lynxea, viperea, vulpina, lupina, Medea,
 Callida, syrena, crudelis, acerba, superba,
 Es fellis plena, mel dans latet anguis in herba,
 Sub duce Philippo Valeys, cognomine lippo,
 Amoris nomen famam cognomen et omen.†

Stratford was not in office when the war was finally declared, and it was not therefore true, as his enemies afterwards asserted, that the war was undertaken by his advice. But when it was once declared, his earnest desire was that it should be prosecuted with vigour. By his advice an alliance was immediately formed with the

* It is published among the *Rerum Britt. Medii Ævi Scriptores*.

† *Pol. Songs*, i. 26.

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German princes. He exhorted the king to enlist in his services those mercenaries, who were adepts in the art of war, as well as to discipline his own forces. He promised to exert himself, and to make personal sacrifices in order that the necessary funds might be raised.

Although the archbishop had again resigned the great seal in 1337, it was not with an intention of retiring from public life. He was active and regular in his attendance on the Privy Council;* and the great seal was held by his brother Robert, whose interests were identified with his own. On the 28th of April, 1340, he was, for the third time, appointed chancellor.† But the infirmities of old age were creeping upon him, and he pleaded this as an excuse for resigning the office in the following June.‡ This resignation, however, was only a renunciation of certain details of duty, for his brother was again appointed his successor; and on the king's going to the Continent, Archbishop John was appointed President of the Council.

But his position was becoming day by day more irksome. Although there was, as yet, no misunderstanding between the king and the primate, there was an imperceptible but increasing alienation between them. The king was surrounding himself with new counsellors, men of his own standing; and the archbishop, always cautious, and growing more cautious with increasing years, was not heard with the deference to which he had been accustomed, when he counselled prudence.

This was the case in that rupture between Edward of Windsor and John Stratford to which we must now advert.

In the summer of 1338 the king had embarked for the Continent, and the national feeling was gratified by the

* Fœdera, ii. 883, 1115.

† Rot. Claus. K. Edw. III. 1. M. 27.

‡ Ibid 1. M. 13.

manner in which he was received, as one of the greatest potentates of Europe, during his triumphant progress up the Rhine to Coblentz, where he was appointed Vicar of the Empire. England was proud of the homage paid to her royal representative; and, wherever Edward went, princes of the empire and burghers of the free towns, great men, representing every grade of society, from Jacob von Arteveldt, the republican, to Louis of Bavaria, all conspired to do honour to a prince, who could make himself welcome in the warehouse of the merchant, as well as in the tournament of knights and nobles. Edward went on, right royally, determined to carry his objects, and utterly regardless of the means to be employed, or the possible consequences. He required a large army, and he stipulated the payment of large sums to the captains of those armed bands which, under distinguished commanders, came into the war-market to sell their services to the highest bidder. Little better than such a trader was the king's brother-in-law, the Emperor Louis, when, on the promised payment of 300,000 florins, he undertook to send two thousand lances to the field, to fight, in point of fact, his own battle. Most of the princes of the empire, including the Margrave of Brandenburg and the Count of Nassau, were in Edward's pay, as were the courtiers to whose opinions the Emperor and Empress were supposed to defer.

The king expected to be able to fulfil his engagements by the plunder of the enemy. This was considered so good an investment, that the merchants in Flanders were ready to advance, at a rate of interest in proportion to the risk, any ready money he required; and the home government felt so certain of success, that many of the officials, including the archbishop, became personally responsible for large sums, while the country—clergy and laity—voted the most liberal subsidies. In the hope of

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sharing the plunder, men from all quarters flocked to the standard of the first general of the age.

Under such a state of things despatch was everything. Delay was ruin. Whether fighting or not, men were to be fed and clothed. Every day of inaction added to the debt which the king was incurring. This was known to the enemy, who sought to avoid an engagement as long as possible, and amused the lukewarm allies of Edward by negotiations. The troops began to murmur. The merchants of Flanders refused to make any further loans. Time was required to collect the money, which had been voted by England; and, when collected, it was only sufficient to meet the demands of creditors becoming more clamorous as the prospect of immediate war was removed. The king reproached Stratford, and complained of his want of zeal. In short, in the November of 1339, King Edward was placed under circumstances, which would have crushed an ordinary mortal. His fall had been as rapid as his rise. He who, a few months before, had been courted by all the powers of Europe, except those who were in league with France and the pope, was now deserted by his allies, and obliged from want of funds to disband his mercenary troops.

A great mind is proved under such trials. Instead of quarrelling with the allies who might hereafter render him assistance, Edward overlooked, though he was aware of, their treasonable correspondence with the enemy; and he thanked them for their past services. He obtained permission of his creditors to visit England, and left Queen Philippa in pawn for his return. His appearance in England revived the slumbering loyalty of the people. An enthusiasm was excited in his favour. When they heard of the queen left an exile in Ghent, their compassion was excited, and her royal husband obtained an unprecedented supply from parliament and convocation.

The country was rewarded for its generosity by the first great naval victory of England—a victory gained against unequal numbers—one of the most splendid among the splendid naval victories of which England can boast—the victory of Sluys. Once more the allies of Edward rallied round his standard, eager to assist in expending the treasures, with which the king had come laden from England; and anticipating the plunder of fresh towns. An army of a hundred thousand men was now under Edward's command. But the campaign, though not disgraceful to his arms, was, in regard to political consequences, a failure. The mercenary troops and the German princes were not content with barren honour. When, after a siege of nine months, instead of capturing Tournay, the king was obliged to seek or consent to a truce, he found himself involved in debt to the enormous amount of three hundred thousand pounds.* The towns of the enemy retained their wealth; the allies of Edward claimed the discharge of their arrears. The usurers, of whom he had borrowed money, at an exorbitant interest, were urgent for payment. He wrote to Stratford for an immediate supply of money; and received for answer that he had forestalled his income. The treasury was exhausted. When an appeal was made to the people, it was natural

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* Knighton, 2573. Froissart, c. 39, 40, 41. It is due to Stratford to mention some of the enormous sums squandered by Edward. To the emperor he gave 8,227*l.* 1*s.*; to the Margrave of Juliers, 8,962*l.* 10*s.*; to Count Reinald of Gueldres, who had lately been made duke. 4,612*l.* 10*s.*; to Dietrich Von Faltenberg, 3,864*l.* 8*s.* 3*d.*; to the Count of Hainault, 3,150*l.*; to the Duke of Brabant, 600*l.*; to the Archbishop of Treves, 506*l.* 5*s.*; which must all be multiplied by fifteen or twenty, and some say twenty-five, to bring the sums to the present value of money. They were drawn on the Hanseatic Exchange, which brought him into the troubles mentioned in the text, and for these sums he endeavoured to make his ministers responsible. See Pauli, 171.

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to ask what had become of the enormous sums which had been placed at the king's disposal? He had been as a gambler. Expecting to revel in the riches of France he had risked all, and he had lost. Moreover, sinister reports reached England from the camp. A profuse expenditure, it was said, and with too much truth, had enriched the sycophants and flatterers, by whom he had surrounded himself. Worst of all, Edward, whose weakness as to women remained to the last, was said to be under the influence of a mistress who had command of his purse.* All these parties conspired to prejudice the royal mind against the Stratfords. If the archbishop and his brother, it was said, had exerted themselves, they might have obtained what was necessary to meet the present exigence: an assertion which carried with it its own refutation, when it was added, that the archbishop had made himself personally responsible for the king's debts. It was insinuated, that Stratford had been bought by the French king, and that he had been intimidated by the French pope—libels, which have been repeated in modern times, though the accusation was not only not proved, but is actually inconsistent with the whole character, mind, and temper of the times.

The king was urged, as we should now say, to change his ministers, and to replace them by the friends who sur-

* For these statements see the Political Songs, particularly a very curious poem under the pseudonym of John Bridlington. Political songs are often mere libels, or the witty repetition of scandal, and are therefore to be received with caution. But after making every allowance, the political songs of Edward's time bear out the statements made in Stratford's exculpatory letter and other contemporary documents. The amatory propensities of Edward III. involved him in difficulties to the very close of his reign. At this time he was in other ways demoralised, as may be seen in his conduct to the parliament of 1340, when to obtain a subsidy he made concessions to his people, which, when his object was attained, he revoked, asserting that his promises had been made with mental reservation.

rounded him,* whose dislike of the Stratfords was increased by their appetite for place. The new friends of the king urged upon him to compel the archbishop to mortgage his estates for the payment, in part at least, of the king's debts; and they proposed to have recourse to an exercise of the royal prerogative, by which, in defiance of Magna Charta, and without the consent of parliament, money might be extracted, sword in hand, from the people.

While demands for impossible sums of money were made from abroad, the ministry at home could not maintain the common establishments of the country. London was without a garrison; the country had been drained of men as well as of money; a fleet of pirates might have sailed up the river and have plundered the metropolis. The royal family were in the Tower, but while the fortress was undefended it was scarcely possible to obtain the necessaries of life or suitable attendance in that part of the Tower, which was the palatial residence of the royal children. The ministers were in despair.†

The archbishop was accustomed to sleep at Lambeth, and thence to drop down in his barge to the city to transact business with his brother the chancellor and the

* One measure was suggested to the king which marked the commencement of a new era. He was advised to employ laymen in future instead of ecclesiastics in the public service; and this, throughout, was the policy of John of Gaunt, the principle, so to say, of his party. The time had not come, however, for such a change. Edward did indeed for the first time appoint a layman to be chancellor, Sir Robert de Bourchier, a gallant soldier, being appointed with a salary of £500 a-year besides the accustomed fees. But the military chancellor was a failure.

† The whole of this narrative is given upon a careful comparison of the various authorities, taking Birchington in the *Anglia Sacra* for the basis, Walsingham, edit. Riley, Grafton, Stow, Dugdale, the *Libellus Famosus*, and the *Excusatio Archiepiscopi ad Libellum Famosum*, with other documents not to be found in Birchington and Walsingham.

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other counsellors, who formed the regency. But he was now an old man, and required rest and repose. On the 29th of November, he retired for a short time to another manor of the see, at Charing, in Kent. This was a favourite and convenient retreat. Standing on an old Roman road which joins that, which runs through the valley of Ashford to Canterbury, forming, indeed, part of "the pilgrim's way," Charing was easily accessible both from Canterbury and from London. Here, while thinking, with some anxiety, of his future and of the conduct of the king,—exasperated against him by the influence of the mistress obscurely hinted at, in the political songs of the day, as Diana—he found some measure of consolation and support, as he looked upon the veritable block, on which John Baptist was beheaded. This had been brought, as a precious relic, from Palestine, and presented to the parish church of Charing by Richard I. Stratford sighed for peace :

Otium Divos rogat in patenti
Prensus Ægæo.

But whatever may have been his reveries, he was soon awakened from them by the intelligence, that the king was in London. He could hardly believe his informant, that the king, accompanied by the queen, had arrived in London on the 30th, for, during the preceding night, a tempest had raged, through which it was considered scarcely possible that a ship, such as ships then were, could have lived. The storm, it was said and believed, had been raised by the French necromancers, under the expectation that it would cool the courage of Edward, and effectually prevent him from putting to sea again. But Stratford had no time to investigate the rhodomontade of the French ; he heard, and was not surprised to hear, that the anger of the king exceeded all bounds, when, on coming suddenly and unexpectedly to England, he found his capital

unprotected, and witnessed the neglected condition of his children. The fact Stratford had deplored ; but the fact being so, he knew, that Edward was not a man for half measures. He felt that he was not safe at Charing. His palace at Canterbury was without a garrison, without even a household. He determined, therefore, to throw himself on the hospitality of the monks of Christ Church. It was a rare thing for an archbishop to be on good terms with his convent ; but fortunately for Stratford, when he took up his abode among them, as he had a right to do, he found them prepared to act as his friends. He retired to Canterbury, and there, taking up his abode in the priory, he prepared, as Primate of all England, to meet the attack of his enemies.

The first news that reached him was, that his brother, —Bishop of Chichester and Chancellor of England,—the treasurer, and all the great officers of state, together with the lord mayor of London, were in prison. Orders came down for the removal of the sheriff of Kent ; and notice was given, that justices were appointed to investigate the conduct of the sheriffs also of the shires, and of all whose business it had been to collect the taxes. A rumour reached him of its having been determined, that the archbishop and the lord treasurer (the Bishop of Lichfield), should be immediately deported to Flanders, there to lie as pledges for the money, which the king had borrowed, and which they ought to have enabled him to pay.

Soon after Sir Nicolas Cantilupe arrived at Canterbury, attended by a considerable number of the nobility and by a notary public. He caused it to be proclaimed, that the archbishop had bound himself to certain foreign merchants, under penalty of forfeiting his goods, for certain sums of money borrowed by the king to defray the expenses of the war ; that for want of receiving this money the king's army had been reduced to the greatest distress,

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and the operations of the war had been suspended. He now, in the king's name, required of the archbishop to advance the money due to the creditors of the king, or else to deliver himself up to their custody, until the whole sum, for which he was bound, had been discharged.

He demanded an immediate answer. The answer was, that, in a matter of such importance, the archbishop must take time to consider what that answer should be. Stratford then addressed letters to the king entreating him to dismiss from his counsels the new advisers, who made it their business to calumniate his old and long-tried friends. Throughout the correspondence, indeed, he was careful to distinguish between the king and his ministers,—that important precaution by which Englishmen have been accustomed to criticise freely the actions of the government, without renouncing their loyalty to the sovereign.

When no notice was taken of his letters, which he suspected were not shown to the king, he determined upon an aggressive movement. He summoned the people to the cathedral. There was an immense assembly. He went in state to the church. The great western door was thrown open. He was incensed by the prior. He was met by the members of the chapter and the other officials with tapers in their hands. He was thus escorted to the pulpit. With their tapers lighted, the clergy arranged themselves on either side. The whole nave was thronged with people, breathless with expectation of what was to take place. The archbishop selected for his text *Ecclus. xlvi. 12*: "Elias it was who was covered with a whirlwind, and Eliseus was filled with his spirit; whilst he lived, he was not moved with the presence of any prince, neither could any bring him into subjection." He turned, as he spoke, towards the shrine of St. Thomas of Canterbury, to whom the people recognised the text as applicable. His spirit was abased, he said,

before the wisdom of the martyr. When St. Thomas was enthroned on the marble chair, he resigned the chancellorship, and renounced every secular pursuit. Tears rolled down the old man's cheeks, and for a short time stopped his utterance. When he broke the sympathetic silence, it was to acknowledge and confess that, to his having disregarded the care of his flock to serve the king and the kingdom, his present difficulties and sorrows, the very fact, that his life was in danger, were all to be attributed. He there and then pledged himself thenceforth to the zealous performance of those duties, which his province and his diocese had a right to expect from him, and which he had hitherto neglected. At the conclusion of the sermon, the people knelt; but, instead of giving the benediction, the Primate of all England pronounced sentence of excommunication upon all, the king and his family alone excepted, who should disturb the peace of the kingdom; who should lay violent hands upon the persons, lands, goods, or purses of the clergy; or should violate the liberties of the Church. The anathema applied especially to all who, by any decree, should lessen the privileges conceded to the country by Magna Charta; to all who should bring a false accusation against any person whatsoever; to all, who should bring an archbishop or any bishop of his province into the king's hate or anger, and accuse him or them of treason, or any other notorious and capital crime, falsely.

As he ended, the torches were extinguished. The bell tolled. A stench unbearable filled the church. There was no procession. Every one retired in confusion and haste.

When the archbishop reached the prior's lodgings, he issued a mandate to the Bishop of London and all his suffragans, to cause the sentence of excommunication to be published in every church.

The eloquence of the whole transaction was felt

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throughout the country. Canterbury was filled with pilgrims, who, on their way home, would descant on the wrongs and on the penitence of the primate, on his patriotism and his firmness. He had placed himself under the powerful protection of St. Thomas, taking him for his example. Thomas-à-Becket was not then regarded as the emblem of clerical intolerance or ambition: he was venerated as the saint, who was still engaged in protecting the weak against the strong, and vindicating popular rights against the aggression of kings. Kings still bowed the knee at his shrine in fear; the people worshipped him; and when his successor became his devotee, he was at once popular. To the popular rights as maintained in Magna Charta, and to parliamentary government Stratford had always been loyal; and now he insinuated that, through the new advisers of the king, those rights of the people, as well as the liberties of the Church, were in danger.

The position of the archbishop was strengthened by the fact, that the king's advisers were afraid to face a parliament, and were evidently persuading the king to govern by his prerogative. A council, to be composed of their own party, they determined to call; and before it to compel the archbishop to appear. For this purpose, Ralph Lord Stafford arrived at Canterbury, attended by the proper officials, and served a writ upon the archbishop, requiring him to repair immediately to the king; to consult, in the royal presence, with sundry prelates and lords, upon the conduct of the war, and to enter, at the same time, into a defence of his own proceedings. A safe-conduct was offered.

The archbishop received the summons with proper respect, and promised to take the subject into consideration.

Soon after, messengers arrived in Canterbury from the Duke of Brabant, and demanded an audience of the

archbishop. This he refused. They then affixed a summons to the door of the priory, citing the archbishop to the Duke of Brabant's court of justice, that he might lawfully answer, in Flanders, for the debts of the king of England, for whose debts he stood engaged; there to remain, until his lord's debts were fully cleared, according to the oath on that part by him made.

Almost contemporaneously with this, the prior received a letter in the king's name, which he and the convent were required to read publicly to the people. It was a circular, addressed to the Bishop of London, and intended as an answer to the archbishop's sermon. In this letter it was stated, that the war was undertaken by the king at the archbishop's advice, to recover his right and his inheritance; that now the archbishop, the author of the war, having conspired with his enemy, the French king, advised the king of England to renounce his right, and to disband his forces; that he had not, according to his promise, purveyed sufficiently for his army; that he had not satisfied the foreign creditors of the king, of whom, upon his security, the king had taken up vast sums of money for the war; and that now, when called to account for his administration, he thought by his censures and excommunications to elude a trial.

The prior laid the letter before the primate. Lent was now approaching, and it was known, that, on Ash Wednesday, the archbishop would again address the people. Indulgences were offered to induce the people to attend. The cathedral was crowded. The archbishop ascended the pulpit. He took for his text Joel ii. 12, "Therefore now, saith the Lord, turn ye even unto me with all your heart, and with fasting, and weeping, and mourning, and rend your heart, and not your garments, and turn unto the Lord." The whole chapter was applicable to the existing state of the country. When the sermon was

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concluded, the archbishop directed one of the monks to read the letter addressed to the Bishop of London in the king's name. In order that every one might clearly understand the nature of the charges brought against him, he directed that it should be read in the mother tongue. He desired no concealment. Then, one by one, article after article, he either refuted every charge, that was brought against him, or entered into an explanation, by which, what was intended to disgrace him redounded to his credit. He vindicated his loyalty to the king, and his integrity in managing the affairs of the country. The sermon over, he directed the substance of it to be reduced to writing. The scribes in the scriptorium were employed day and night, encouraged by his presence; and copies of his defence were circulated throughout his province. Orders were given that it should be read in every church. It was thus, before printing, that public documents were published by the clergy from the pulpit, by the officials of the state in the market-place.

Not content with this, the archbishop addressed a letter, also published, to the king himself. He evinced no anger against the king, whom he addressed as Carissime Domine; but wrote rather in sorrow, and with a view to warn him of his danger, in surrounding himself, like Rehoboam, with young and inexperienced counsellors, who consulted the royal wishes and their own interests rather than the well-being of the realm. He adverted to the sad fate of the king's father (whom God assoile!) occasioned by his violation of the laws, especially of Magna Charta, and his disregard of parliament. He alluded to the former unpopularity of the king himself, and the dangers which surrounded the throne, when the bad counsels of Isabella and Mortimer prevailed. He contrasted this with the subsequent popularity of the king, who received more supplies from the people than any

preceding sovereign; with his successful and victorious career both at home and abroad—with the fact of his having now become the most noble prince in Christendom. Of himself he said nothing: the people knew well who was the king's counsellor, when he extricated himself from unparalleled difficulties, and through his own genius, properly directed, was elevated to a pinnacle of glory. He counselled the king to call a parliament. He offered before a full parliament to vindicate his own administration, and to prove who were the persons that squandered the supplies, and reduced the king to poverty and disgrace—the men who now endeavoured to shift the blame upon the archbishop by whom they were excommunicated. He entreated the king not to distrust his people, but to call a parliament—which his present advisers most dreaded—and he concludes, “May the Holy Spirit have you, my Lord, in His holy keeping as to soul and body. May He grant you grace to hear and receive good advice, and vouchsafe you victory over all your enemies.”

The great seal had now been for the first time con- signed to a layman. The layman selected to be chan- cellor was not a lawyer, but a soldier. As the great seal had hitherto been always entrusted to an ecclesiastic, civil affairs had been so mixed up with spiritual, that, great as were Sir Robert Bouchier's ability and valour in the field of battle and at the tournament, things were likely, in the Court of Chancery, to be brought into a state of confusion; for an extrication from which the gallant chancellor did not possess sufficient knowledge and skill. He evinced a disposition to deal unfairly, in all that related to Church matters and ecclesiastics. To him, therefore, the arch- bishop wrote, “wishing him a will to conserve the liberties of the Church and the law of the land entire.” He made a full statement of the financial arrangements of

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the Court of Chancery. In this statement, the subsidies of the clergy were compared with the parliamentary grants. He entreated the chancellor, to deal fairly by the clergy, and with reference to some unjust orders that he had given, he called him to revoke them within eight days of his receiving the mandate to do so, and threatened him, in case of disobedience, with such measures of reprisal as the Church still possessed. He, throughout, assumed that, whatever acts of injustice were committed by the chancellor, were done without the knowledge of the king.

But, in order that the king might not remain in ignorance of what his new ministers were doing in his name and by his authority, Stratford, at the same time, addressed a remonstrance to the king in council. In defiance of Magna Charta and the laws of the land, ecclesiastics (some of whom were named, one of them being Henry Stratford), and many of the laity also, had been dragged from their homes, and imprisoned, without any specific crime being laid to their charge. The object was to compel them to pay a high ransom for their release. It was one of the iniquitous modes of raising money resorted to in the worst times of Henry III. He asserted, that persons armed with authority from the government had entered the houses of ecclesiastics with impunity, and taken their property, pretending it to be for the king's use. He solemnly called upon the king, who had, up to this time, acted constitutionally, to command the release and delivery out of prison of those ecclesiastics, and of others who were detained against Magna Charta and the laws of the land. He gave notice that, if a remedy were not devised, to prevent the recurrence of these acts of tyranny, the censures of the Church should be immediately put forth against all, except the king, his lady the queen, and their children.

In a circular, addressed to the Bishop of London and his suffragans, the archbishop enters more into particulars—he speaks of false accusations as well as imprisonments, and alludes to the insecurity of all property. He specifies the various laws which, besides Magna Charta, had been violated, and calls upon his brethren to unite with him in maintaining the cause of justice, and in enforcing the observance of the laws of the land.

So powerful was the effect of the energetic measures adopted by the archbishop, that the ministry found it necessary also to appeal to the people, by the publication of what Stratford called an infamous libel, a document known in history as the *Famosus Libellus*.* It is a remarkably clever production, and was acknowledged generally to be the work of the ministry and not of the king himself, although he, of course, assented to the publication. This letter, written in the king's name, refers first to the confidence, which the king, at the commencement of his reign, while yet in his tender years, had put in John, then Bishop of Winchester, now Archbishop of Canterbury; who was received into such familiarity, and enjoyed so much of the royal favour, that he was called "our father," and next to the king was admired of all men. He is accused of having advised the war with France, and the league with the German princes; of having promised that, if the king would discipline the army, he would be responsible for the means of defraying the expenses of the war. On the strength of these promises the war was undertaken, great expenses incurred, the princes subsidised. But alas!—the king is made to say,—we put our confidence in the staff of a broken reed,

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* *Auditis itaque litteris Archiepiscopi, et singulis intellectis, aliis insuper nonnullis ab aulicis regiis, ut putabatur, Archiepiscopo impositis, Rex Edwardus misit episcopo Londoniarum litteram ut subsequitur.*—Walsingham, i. 240.

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whereon, according to the prophet, if a man lean, it shall go into his hand and pierce it. Defrauded of his promised aid from the archbishop, the king contracted debts at heavy interest from the mere necessity of carrying on the war; until, at length, from the misconduct of the archbishop, the king, being still in want of funds, was obliged to suspend his operations and throw himself on the generosity of the prelates, barons, and other liege subjects of his kingdom in parliament assembled. From them he received a ninth of their corn, lambs, and wool; and obtained besides, a tenth from the clergy. If this had been faithfully collected it would have sufficed; and the archbishop promised not only to attend to this duty, but to procure money from other sources. Thus encouraged, the king renewed the war, and gained a great naval victory over enemies, who had combined for the destruction of the king and the English nation. He then encamped against the strong city of Tournay, and expected the promised supplies, but they never came, though messenger after messenger was sent to demand payment from the archbishop and the other counsellors joined with him in the commission. These ministers were attending to their own interests, neglecting the king's affairs, and palliated their idleness, not to say fraud and malice, with painted glossings and frivolous excuses. At the point of success, the king was obliged to raise the siege; and, retiring to Flanders, was exposed to disgrace by being unable to fulfil his engagements or pay off his foreign auxiliaries, except by contracting fresh debts at usurious interest. On the king's consulting the companions of his labours, the sharers of his troubles, they all agreed that the whole fault lay in the misgovernment of the archbishop, and the other members of the commission. These persons were suspected also of bribery, of corruption, oppression, and

other heinous offences. The document then proceeds to mention the various steps taken by the king, to effect a change in the ministry. He was obliged to imprison many of those, who had been in office, lest, if at liberty, they should impede the investigation into the iniquities of the late government. It recites the various summonses by which the archbishop was required to appear before the king, to render an account of his stewardship; and the insolence and haughtiness, with which he refused "to appear before us or to confer with us unless in our own full parliament, which, at this time, for good reason it is not expedient to call. Thus the archbishop, whom our royal favour aggrandised not only with benefices and honours, but by admission to our friendship—who was to us as our mouth and lip, on whom as on a much-loved father we relied, and who pretended to be a loving father to us, has proved after all to be nothing better than a step-father, who, forgetful of the favours he has received from us, meets his benefactor with arrogance and pride and has served us, as the proverb has it,—‘A mouse in your bag, a serpent in your lap, a fire in your bosom.’”

There is more to the same effect: and the archbishop is accused of calumniating the king and his counsellors, by whom he represents the laity to be oppressed and the clergy wronged; of simulating a zeal for Magna Charta and the laws, that he might bring discredit on the government; and of feigning a zeal for the Church, which all the world knew was damaged by his remissness and neglect of duty. He is further accused of availing himself of the king's easy disposition, on his first coming to the throne, to enrich himself and his friends; of peculation, and of accepting bribes.

The Bishop of London, to whom the letter was addressed, was commanded to publish, or cause to be published, all

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and singular the premises, openly and distinctly in places which he might think convenient.

All this is deeply interesting to persons who, observing the current of history, are here led to see the deference, which, at this period, the ruling powers were beginning to show, in this country, to public opinion.

The archbishop was not slow to repel the attack, in a letter to his dread lord the king; to whom John, by divine permission, his humble minister of the Church of Canterbury, once temporally, but now more in the Lord, wished health both of soul and body, and grace to persevere in what was right, while manfully resisting all envious and wicked suggestions subversive of sound morality.

He commences with some verbiage on the deference due to the spiritual from the civil authorities,—which was out of date,—and on the respect due to a spiritual father,—which came with a bad grace from Stratford, negligent as he had always been of his clerical duties. He proceeds to what may be regarded as a complete refutation of the various allegations of the *Famosus Libellus*. So far from shunning the king, he declares it to be the first wish of his heart once more to see his highness; to serve him, and to receive from his royal master an acknowledgment of the services he had already rendered to the state. His desire also was to vindicate his conduct before the prelates, barons and peers of the realm, from the libellous aspersions of those, whom the king had taken into his confidence, and who, in the king's name, domineered as tyrants over the land. These persons threatened the archbishop with death. He was therefore justified in refusing to place himself in their power. His fear, however, of placing himself in the hands of madmen with swords in their hands, rendered it the more necessary that he should notice the letter, or rather the infamous libel they had thought fit to circulate against him. This

he was determined to do, not sophistically or by special pleading, but in the simplicity of truth.

To the charge of having advised the war the answer was obvious; that he happened not to be in the counsels of the king, when war was declared with France, and that no one laboured more diligently, than he had done to avert it. When, however, the war began, he effected a loan for the king, under certain conditions, through the merchants; and, at the same time, obtained large subsidies from the clergy and people, which, in the opinion of the archbishop and of all the council, would have sufficed for the whole war, if the money, received for war purposes, had not been diverted into other channels. He appealed to the king himself, to corroborate his assertion, that it was owing to no fault on the part of the archbishop, that the conditions had been violated, and the money applied to other purposes than that, for which it was originally designed. To the same authority he appeals, to bear him out in the statement, that the subsidies did not pass through the archbishop's hands. If, from want of money, any misfortune happened to the king abroad, the blame must rest, not with the archbishop who bore the burden and heat of the day in providing the funds, but with those who persuaded the king to violate his engagements, who wasted the supplies by their extravagance, and embezzled the subsidies; the very persons by whose advice the king was now acting. When the king's difficulties began, the archbishop, defraying his own expenses as an ambassador, went abroad again, to conduct negotiations for peace. On the failure of these negotiations, he joined the king in Flanders. At that time, commiserating the necessitous condition of the king, he, with other prelates and barons, entered into grievous obligations for debts, which had been contracted by the king, without their advice, at an usurious interest. In this way he succeeded

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in extricating the king from his difficulties, and he certainly, therefore, did not deserve to be reproached for indolence, ingratitude, or avarice. "And so," says the archbishop, in conclusion, upon the article of impeachment, "you did not put your confidence in the staff of a broken reed, but on a most firm staff, with which you went like Jacob over Jordan, returning, like him, with two bands: for your second embarkation for England was a glorious return."

He reminds the king, that when the ninth was voted to him, it was, with his own consent and that of his council, assigned, for the first year, to his creditors; and that such appropriation of the funds was frequently enjoined in the king's own letters. When the siege of Tournay was undertaken, it was undertaken without the advice of the home government; and when money was demanded for the prosecution of the siege, money was not sent, simply because it could not be obtained. The several payments had been adjusted in full by parliament, by certain terms and proportions; and the king was frequently apprised, that nothing further could be obtained, unless he were himself present. Of the subsidy voted very little of it was due, and very little, therefore, had been collected before the king's return. It would now come into the hands of the present ministry; "and I pray God," says the archbishop, "that it may hereafter be disposed of to your honour." He then indignantly repels the charges brought, by the king's present friends, against the archbishop and those who were associated with him in the ministry; appealing to God, and declaring, that they had loyally and industriously laboured in the king's service and obeyed his commands, and, according to the vulgar saying,

"Ultra posse viri non vult deus ulla requiri."

He retorts on the king's present advisers, the charges he

before brought against them as notorious ; accusing them of violations of Magna Charta, and of acts of tyranny, which were bringing the king himself into disgrace. He justifies his refusal, to obey the summons of his enemies to leave his place of security ; and he shows the inconsistency of the commands issued in the king's name, by which he was directed to be in attendance upon the king, and to surrender himself to the Duke of Brabant at the same time. He repeats his readiness to attend, whenever a parliament should be called ; and as to the pretence of his enemies, who feared to call a parliament because there was no cause for its convention, he treats it as a mere pretext of those who hate the light because their deeds are evil. The archbishop's readiness to defend himself in parliament shows his confidence, that the country was with him. As to the charge of ingratitude, and of his having acted as a mere step-father to the king, he assumes that the king could not himself have been the author of such an accusation, as he himself was well aware of its injustice. The sin which lay on the archbishop's conscience was that he had neglected, not only the care and culture of his own houses and lands, and all that pertained to his own interests, but also his church and his spiritual children, that he might serve the king. "In our solicitude to promote your interests, we have passed many a sleepless night ; and both in England and beyond the sea, we have wasted our body—I pray God it may not be to the peril of our soul—and actually reduced ourself to beggary. Devoted to the service of you and your realm, we have forfeited the love of our clergy, and have been obliged to have recourse to unpopular acts ; whether these be the actions of a step-father let God be judge. He knoweth, that to you we have been a kind and loving father ; it has been to our spiritual children—I say it with grief—that we have been, for you, such a stepfather. We have been,

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it is said, a mouse in your bag ; how ? Has it been because while labouring in your service we fed not on your goods, but on our own ? We have been as a serpent ; if so, it has not been by spitting forth venom in your lap, but by the wisdom, with which we have conducted your affairs. I have been as a fire ; yes, but not a consuming fire—a lambent flame, kindled by zeal for your interests, and employed as a light to your path.” Inferring that the king could not have read the letter issued in his name, the archbishop consoles himself with the proverb

“ Si culpant alii te me laudare necesse est.”

He meets the charge of having calumniated the king, by his allusion to the violation of the liberties of the Church and of Magna Charta, which had of late taken place, by referring to the fact as notorious, and by laying the blame upon the new ministers.

Alluding briefly to the charge of peculation, he concludes thus : “ One thing we cannot pass by ; although that such a charge should be brought against us fills us with surprise—namely, that we have appropriated to our own use, or to that of our friends, the rents and revenues of the king. God in heaven knows how utterly without foundation this charge is. On the contrary, in the king’s affairs, or the affairs of his father or his grandfather, we have crossed the sea thirty-two times, besides going to and fro for Scotland ; and in these and other public employments we have paid our own expenses, to the gradual deterioration of our fortune. From the beginning of the war to the present hour, we have received nothing from the exchequer, except three hundred pounds ;”—the income of the then chancellor, Sir Robert Bouchier, being £500 a year.

“ And then, as for preferring undeserving persons and placing them in office from pecuniary considerations, if

any one will offer to prove, that I ever received any sum of money, any gratuity or favour on this score, or any bribe to favour any plaintiff or defendant, I am ready at once to meet him, if the king will order me to be prosecuted. Nay, more, if we might with a good conscience reveal the secrets of the king's council, I could indeed retort the charge on some, who stand forward as my calumniators."

The publication of the libel he regretted for the king's sake, rather than his own. So far as he was himself concerned, although it was designed to damage him, he felt sure, that when weighed in a just scrutiny, it would only tend to bring disgrace upon those by whom it was dictated.

That the statements made by the archbishop were strictly true is established by the fact, that there was not an attempt to refute them in the angry rejoinder, which was published in the king's name, and was probably written by himself.

Therein the archbishop is accused of arrogance and pride, of which the letter he had published was a further proof: "It had hitherto been the custom of prelates, even of popes, to interpret the discourses of princes in a fair and favourable sense; but this archbishop had dared to call the king's letter a libel, though it contains nothing but truth, and what *we shall make good from point to point when we see fit.*"

It is said, that a cautious controversialist admits nothing, because whatever he admits will be exaggerated as to its importance and be urged against him. Stratford had not observed this rule. "This prelate," it was therefore said, "lays great stress upon his exalted station, and calling himself an ambassador of Christ, demands that reverence and respect, which being due from him to us he refuses to pay. Although he and the other prelates of the realm, who hold

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their temporalities of us, are bound by their oath of allegiance, to acknowledge our sovereignty, and to render to us the obedience of subjects; this prelate, instead of giving honour where honour is due, treats us not only with disrespect but with contempt. Although we have always been disposed to pay due regard to our spiritual fathers, yet their misconduct we cannot and will not pass over, when it tends to the detriment of our person and government." The letter then repeats, that the archbishop has been guilty of the same offences, which he charges upon others, and concludes with saying that the king cannot condescend to enter into a controversy with a subject. He will not, therefore, expose the fallacies of the archbishop's defence, as he might easily do, if disposed. He will not allow any encroachment upon the royal prerogative, which the late ecclesiastical censures were, and he commands the sentence of excommunication to be cancelled.

The archbishop still refused to place himself on trial, except before his peers in parliament; and the country was with him. The new ministers desired to govern by the prerogative; but the good sense of the king gradually regained its ascendancy over his passion, and a parliament was called, according to Birchington, for the 17th of April, 1341.

A summons was issued to the archbishop, accompanied by a safe-conduct. He was determined not to travel as a criminal. He proceeded leisurely, through his various manors, arriving at Lambeth on St. George's day, the 23rd of April, the first day on which parliament met for the despatch of business. On the morrow, he crossed the river, and, accompanied by the Bishops of London and Chichester, with a great number of the clergy and knights, escorted by an armed force, as if expecting violence, he presented himself at the great door of West-

minster hall. The wisdom of the precautionary measures he had adopted was seen in the fact, that, at the door of Westminster Hall, armed men were drawn up to prevent his entrance. They were under the command of Ralph, Baron of Stafford, and the Lord John Darcy, the first being seneschal of the royal hospital, and the second the king's chamberlain. They informed him, that their orders were to prevent him from entering parliament, until he had first made answer, in the king's exchequer, to certain charges, which had been brought against him. The archbishop replied, that he had come, in the discharge of his duty, which was to attend the king's parliament with the other peers of the realm. But, to avoid giving offence and to act in accordance with the king's command, he ordered his attendants to proceed to the Court of Exchequer. The articles of impeachment had been duly prepared, and were laid before him. He required time to deliberate upon his answer, and time was granted.

He now returned to Westminster Hall and entered the Painted Chamber. The officials were not prepared to receive him, supposing that he would be detained at the Exchequer. But seats were now assigned to him, and to the Bishops of London, Chichester, Coventry and Lichfield, and St. David's. So entirely was the hostile party taken by surprise, that no one, except the bishops, were present. To them, therefore, the archbishop addressed himself, and stated his reasons for attending parliament, which were, that he might defend the honour and liberties of the Church of England, and devise measures for the advantage of the kingdom and people, for the honour of the king and the good of the queen; and also, that he might clear himself in full parliament, from the crimes which had been laid against him and published. As he had been summoned to parliament by a mandate of the king, he had, as in duty bound, obeyed. The chancellor,

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upon whom the duty of opening parliament properly devolved, now made his appearance, but only to prorogue, or, as we should now say, adjourn the parliament till the morrow.

On St. Mark's day, the 25th of April, the archbishop, with the bishops, who seem to have acted as his council, took his seat again in the Painted Chamber; but the king, probably from a reluctance to meet his old friend under present circumstances, did not make his appearance, and no business was transacted. On the Thursday following, the archbishop appeared in the Court of Exchequer; but he had evidently so interfered with the designs of his enemies, that they had not arranged their plans, and the proceedings were merely formal. On the Friday following, he repaired again to Westminster Hall, but without an armed retinue. The opponents of the archbishop had now determined upon their course. At the door of the great hall stood the Lords John Darcy, Egidius de la Campo or Beauchamp, and Ralph de Neville. They refused him admittance, until he had answered the charges brought against him in the Court of Exchequer, to which place they directed him to go. The archbishop replied, that he had been summoned to parliament; and to his place in parliament, and not the exchequer he desired, at this time, to go. The opposing party saw, that resistance would be useless, and they permitted him to proceed to the Painted Chamber. He found there the Bishops of London, Ely, Coventry, Bath, Hereford, Salisbury, and St. David's. But the king came not. It was evident, that the influence of the new ministers over the king's mind was declining. Presently appeared Adam Orleton, Bishop of Winchester, one of the primate's most bitter enemies, the chancellor, and John Darcy. The bishop was the spokesman, and stated, that they appeared in the king's name, to call upon the archbishop, to become obe-

dient to the king, and to humble himself before him; adding, that he would find the king gracious. This would have been to plead guilty to the offences laid to his charge. The archbishop, therefore, replied, that to the king he had always been obedient, and, saving his order, was prepared to be so still. The Bishop of Winchester then said, that he was aware that he was the reputed author of the *Libellus Famosus*, which had been so much talked of; but he denied, that there was any truth in the report. The silence of the archbishop implied, that he gave no credit to the denial. The lords separated.

On Saturday, the 28th of April, the archbishop returned again to Westminster. He was now stopped by two armed men, at the door of the Painted Chamber, where the king was holding his parliament. The archbishop replied, "My friends, I, Archbishop John, have been summoned to this parliament by a mandate from my lord the king, and I, who, next to the king, am superior to all, and have the greatest right to speak, claim the rights of my Church of Canterbury. I desire, therefore, ingress to the chamber." The men-at-arms refused to permit him to pass, and, in fact, acted as sentinels upon him and the Bishops of London and Chichester, who stood by him on either side. The archbishop took the cross from his cross-bearer; and standing with his cross erect, declared that from that place he should not move until he received another mandate from the king. He evidently was aware, that the king's anger was beginning to subside—a suspicion, which the conduct of the ministry, if we may so call them, served to confirm.

While the primate and the bishops, who attended were waiting, the tread of armed men was heard, and the archbishop, now unprepared for an assault, felt that his worst fears would be realised. His fears were still more excited as he saw that the soldiers were headed by his

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enemies, Egidius Beauchamp, John Darcy the younger, and Thomas Mundham ; but the most outrageous on this occasion was John Darcy the elder. He, as soon as he saw the primate, exclaimed, "Holloa! what are you doing here?" "Here I am," replied Stratford, "summoned by the king to parliament, and here I stand to maintain the rights of my Church, and here, until I am admitted into parliament, I shall remain." John Darcy, with a fierce, malignant scowl, replied, "I wish you may stand there for ever." The archbishop, turning from him, stood with his cross in his hand, facing the whole party, and said: "Here is my body, prepared for the worst—do with it as you will; to my Creator I commend my soul." "No, no," interrupted Darcy, with a sardonic smile on his countenance; "of that thou art not worthy, and we are not such fools. All that we say is, that here thou art in defiance of thy liege lord." To whom the archbishop: "In obedience to my lord the king, I, in all humility, have come; and my cross in my hand I carry, to show that here I am now prepared, for the rights of my Church, to die." "Of the cross that thou bearest," retorted Darcy, "thou art unworthy—unworthy, therefore, to enter parliament: always a malefactor hast thou been, and thou hast acted as a traitor to thy king; and that man who dares to say that our lord the king is not led by wiser counsel, than he was by thee, I tell him that he lies in his teeth; and this, since thy person is sacred, I am ready to prove on the body of any other wretch who dares to say it." Then Egidius let loose his tongue: "In an evil hour wast thou born, thou thing accursed; thou who didst frustrate, and hast frustrated all along, the measures devised against France by a prince, than whom a nobler prince in the world cannot be found." The archbishop now drew himself up, and said, with solemnity, "The curse of God and of the blessed Mary, the curse of St. Thomas and my

own curse, be on the heads of all those, who shall have thus frustrated the king, now and for ever. Amen." By thus pronouncing those accursed, who had acted as Egidius accused the archbishop of having acted towards the king, it was felt that he contradicted, in terms the most solemn, the statement of Egidius; for both he and Darcy exclaimed, "On thine own head this curse falls." The archbishop, who seems throughout to have preserved his temper, merely remarked, "John, for thy opprobrious words I do not care." A crowd had now gathered round, and the people being indignant at the treatment of the archbishop, the armed force retired.

At length, the Earls of Northampton and Salisbury came out of the Painted Chamber to confer with the archbishop, who requested them to interpose their good offices between himself and the king; entreating him to respect the rights of the Church of Canterbury, as represented by its archbishop. The earls having taken upon themselves, probably with the king's permission previously obtained, the office of mediation, the archbishop delivered his cross to be carried by the Bishop of Ely, and, with the prelates associated with him, he retired to the little hall at Westminster, where they waited a considerable time. It was unusual for the archbishop to carry his own cross, which was only done when he wished to imply, that his very life was in danger; the fact, therefore, of his resigning it to the hands of another was a sign of amity. But it does not appear that he and his friends were admitted to parliament on this day; it was only notified to the archbishop that the earls had so far succeeded, that the king had left it to the parliament to determine the terms, upon which Archbishop John was to be restored to the favour of King Edward. The king withdrew when the discussion commenced, in order that there might be no restraint upon those who were inclined to take part in the

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debate. The debate was warm and protracted, chiefly through the management of the archbishop's enemy, Adam Orleton, Bishop of Winchester, who was so unscrupulous in his statements, that, in one instance, he was proved to be guilty of a direct falsehood. The disputes ran so high, that nothing was settled at this time; but the members separated with feelings of much exasperation.

The archbishop had retired to Lambeth, where he remained in retirement on the Sunday. His enemies, however, were active and at work. The majority in parliament were in favour of the archbishop; and the king was beginning to think less unkindly of his old servant. Stratford had always been popular among the middle classes. To damage him in the eyes of the country was, therefore, the next thing to be attempted; and the attempt was made by John Darcy and William Killesby. They sought an interview with the citizens of London; and the mayor, with some of the aldermen and council, met them on the Sunday at the Chapter House of Westminster. In order, that they might inflame the minds of the Londoners against the primate, certain articles were fabricated against him, which were to be published and circulated.

The articles of impeachment, for as such they may be regarded, were based upon the statements in the *Libellus Famosus*, and the archbishop met them as openly as before. On the first of May, he came down early to the house, and there declared his readiness to clear himself, in full parliament, from all the articles laid against him from any quarter. He demanded to be arraigned before his peers, a right which *Magna Charta* conferred; and which had been violated by the present ministry in their endeavour to have the archbishop tried in the Court of Exchequer.

The general question was now opened, whether, when a peer was impeached by the crown, for high crimes and

misdemeanours, he could be compelled to plead before any other tribunal than the House of Peers; and a committee, consisting of four prelates, four earls, and four barons, was appointed to report on this subject, and, at the same time, to enquire concerning the causes laid to the charge of the archbishop.

The archbishop appeared in his place again on Wednesday, prepared to explain his conduct; but when he began to speak, the counsellors of the king, or the ministry, interrupted him, and caused so much disturbance and confusion, that the house adjourned, without coming to any definite conclusion. But this conduct evidently disgusted the king, who, probably, was beginning to feel the want of those wise counsels, on which he had hitherto relied. The late controversy had answered its object, in diverting the public attention from the king's own misconduct; he found that the time had not come, when the government of the country could be confided exclusively to lay hands; and if his impulsive nature hurried him frequently into wrong actions, he was equally ready to retrace his steps. The large majority of the parliament were with the archbishop; and he who had certainly conducted himself, under very trying circumstances, with much temper, discretion, dignity, and skill, was not anxious to drive things to an extremity. Instead of insisting upon a verdict in his favour, which could only be done by revelations with reference to the royal conduct, to which the king would not submit, and no friend of the king would urge, he acceded to a compromise which tended, in the event, to his greater honour. I assume that there was a compromise, because, in the transactions about to be mentioned, some of the archbishop's most bitter enemies took part—and against them he never instituted proceedings—there was an understanding that by-gones were to be by-gones.

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At all events, on the 3rd of May the archbishop crossed from Lambeth to Westminster, his cross borne before him; and in a full parliament, without any gain-saying, he took his place as the first peer of the realm. At the proper time, the doors of the Painted Chamber opened, and the king entering took his seat upon the throne.

The whole parliament rose, and when the king was seated, stood before the throne—the lords spiritual and temporal, the knights of the shires, the burgesses of the towns. They were understood to be interceding with the king for the primate. The king, before a word was spoken, signified, that he admitted him to his grace, and held him free from all the crimes alleged against him from every quarter.

It was a proud day for Stratford; but he manifested no signs of triumph. He quietly received as a favour, what, from anything we can discover, he might have claimed as a right.

He remained at his manor-house at Lambeth for a few days, when a message reached him from the king, to the effect, that he was replaced on the privy council. At the council-board the two friends met, and their friendship continued till the death of the archbishop.

Stratford was not unmindful of the reproaches of his conscience during his late trials, and was determined to fulfil his vows of attending to his duty as a prelate. He held a council in London on the 10th of October, 1342,* and another in March, 1343.† At each of these councils certain constitutions were established. Those of the first council were published as the Extravagants of John, Archbishop of Canterbury; the term being used to distinguish the canons of the first council from those of the second,

* Wilkins, Conc. ii. 696; Spelman, ii. 572.

† Wilkins, ii. 702; Spelman, ii. 581.

which are called Constitutions, only a few months intervening between the two.

The practical character of Stratford's mind, as well as his caution, is impressed on the legislative enactments of either synod. The canons are little more than a repetition or a confirmation of constitutions made by his predecessors, or of canons passed in former councils. Nevertheless, there are some matters interesting to the archæological student as well as to the reader of history.

For example, the archbishop found that, to the detriment of the parish priest, but for the convenience of the parishioners, certain of the clergy accepted a remuneration for performing the sacred offices of the Church in unconsecrated places without a license. It was ordered that, without the license of the bishop, no such irregularity should be permitted; and the bishop was required only to license the oratories of nobles and great men who were surrounded by large households or retainers, and whose residence might be more than one mile from the parish church.*

The clerks of archdeacons and their officials were found to charge exorbitantly and ad libitum, for the transcription of official documents. They were limited to a charge of twelve pence for writing letters of request, institution or collation; and sixpence for letters of orders. The marshals, or keepers of bishops' palaces, were prohibited from taking fees; so were the janitors and the episcopal barbers. The barbers might, indeed, have expected some remuneration; for they were, at this time, exposed to much trouble, it being their business to ascertain, before a clergyman waited upon his bishop, that the cut of his hair was precisely canonical.†

A regulation on this point was the more necessary, as we find the Church legislating upon the subject. In the

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* Extravagant, i.

† Ibid. ii.

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second constitution of the second council held by Stratford, we have the description of a clerical fop of the fourteenth century. It is stated that the prevailing excesses of the clergy as to tonsure, garments, and trappings, gave abominable scandal to the people. Men, it was said, holding dignities, parsonages, prebends, benefices with cure of souls, thought scorn of the tonsure,—which is described as a mark of perfection and of the kingdom of heaven;—and that they distinguish themselves with hair hanging down their shoulders in an effeminate manner; it is affirmed that they loved to apparel themselves like soldiers rather than clerics, with an upper jump remarkably short and wide; that they affected long hanging sleeves not covering the elbows; that they had their hair curled and powdered; that they wore caps with tippets of a wonderful length; that they had rings on their fingers other than those of office; that they had long beards; that they were girt with costly girdles, to which were attached purses enamelled with figures and sculptured; that they had knives hanging at their sides to look like swords; that their shoes were chequered with red and green, exceedingly long, and variously pinked; moreover, that they had cruppers to their saddles, and baubles like horns hanging down from the necks of their horses; that their cloaks were furred on the edge, contrary to the canonical sanctions.

These things vexed the righteous soul of Archbishop John, and it was enacted that all who offended in this way, should be, at the end of six months from the time of admonition, suspended, unless he repented in the interim.

Archdeacons and their officials were, at this time, very misconducted. They would often require an immoderate sum of money before they would induct a clerk already instituted or collated. It was therefore ordered that the

fee to an archdeacon for induction should be forty pence; or, if the induction was performed by his official, the fee, including all charges for his attendants, was fixed at two shillings, and, as money was scarce, it was left to the option of the person inducted whether the procuration should be paid in coin or in a supply of the necessaries of life. Some archdeacons and other superior ordinaries gaping after gain, it is said, indulged themselves in hunting and other affectations of grandeur, when making the circuit of their visitations. They would leave the actual work of the visitation to a deputy; and though they saw not, themselves, the inside of the church, they insisted on their procurations; nay, they sometimes demanded the payment of them although the visitation was entirely omitted, being performed neither in person nor yet by deputy. They would, sometimes, contrive to arrive at a parsonage, the day before that fixed for the visitation, so as to tax the parson with another day's keep, not only of themselves but of their retinue, including the hounds; and then, on the morrow, when demanding the procurations, permit no deduction to be made. They had, in every deanery, their riding apparitors, and these had their foot apparitors, and these were attended by garçons—servants of bad character—ready for any mischief, who forced themselves for a maintenance, on the rectors and vicars, remaining often an unreasonable time. These persons would look out for grounds for molesting the clergy, from doing which they could only be restrained by their being permitted to appropriate the lambs, or the wool, or the sheaves, as the case might be, which they had selected from the field or the fold. It was therefore enacted, that a bishop should have only one riding apparitor; and that an archdeacon should be contented with a foot apparitor, who might stay with a rector or vicar only one night and one day once a quarter, unless invited to stay longer. The archdeacons were too

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apt when men relapsed into adultery, fornication, or other notorious offences, to remit that corporal penance, which ought to be inflicted upon them, for a terror to others, for the sake of money, so that they were called by some the lessors of sin. Therefore commutation of corporal penance was entirely forbidden, when the offender had relapsed more than twice; and whenever a money fine was imposed, it was not to go into the archdeacon's purse, but was to be applied to the fabric of the cathedral church. The archdeacons also exacted excessive sums of money from the clergy licensed to officiate in the archdeaconries, for inserting their names in the *Matricula*, as the list of the clergy in an archdeaconry was termed. Therefore they were forbidden, to receive, for such insertion, more than one penny.* The parishioners were, at this time, bound to repair the body and the roof of the parish church, within and without, together with the steeple, the altars, the images, the glass windows, and the fences of the churchyard. Complaint was made, that when a living was appropriated to a monastery, the monks, though large landowners and holders of the great tithes, refused to pay their share of the burden, or to contribute towards the charities of the parish. It was enacted, that henceforth the monks should be compelled, to give alms, in every parish in which they possessed property, at the discretion of the bishop.†

Complaints were made of persons leaving their parish church, and going to some distant church for marriage; and that marriages were often solemnised when no banns had been previously asked. Regulations were made to remedy this evil.‡

At funerals, misconduct was frequent and great. It had long been the custom of the faithful, to observe night

* Extrav. ii., vii., ix., x., xii.

† Extrav. iv., v.

‡ Extrav. xi.

watches, in behalf of the dead, before their burial; and to do so, sometimes, in private houses, to the intent, that the faithful then meeting together and watching, might devoutly intercede with God. But, by the arts of Satan, this wholesome practice of the ancients was turned into buffoonery and filthy revels. Prayers were neglected, and watchings became the rendezvous for adulteries, fornications, thefts, and other misdoings. Stratford observed, that when a probable good becomes an experienced evil, then an alteration is allowable. These wakes were, accordingly, forbidden.

Thus did the archbishop endeavour to perform his vows; but, when the stings of conscience were less acutely felt, and the external pressure was withdrawn, the old statesman returned to political life, with all his former zest.

The king found, by experience, that a more able and upright minister he could not obtain. In the year 1343, he commanded, that the articles drawn up against the Archbishop of Canterbury should be brought to the House of Lords to be declared insignificant, and to be annulled. The reason assigned for this order was that the said articles were neither reasonable nor true.* No higher testimony could be borne to the integrity of the primate.

When the king went abroad, in the July of 1345, he left his young son Lionel nominally the regent; but, at the head of the council, which was to direct the affairs of the nation, he placed the archbishop. The same office was assigned to him in the year 1346, one of the most eventful in the history of England.

We may say, indeed, of Stratford—employing a modern term in a qualified sense—that he was, till the hour of his death, the prime minister of Edward III.; at all events, he was the chief adviser of the crown. His success in

* *Fœdera*, ii. 1141, 1143, 1147, 1154.

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obtaining subsidies, both from parliament and from convocation, was great; and his ability as a finance minister must have been considerable. He was, indeed, favoured by circumstances; for plunder on a large scale, both public and private, was regarded as a right of war, and high prices were paid for the ransom of prisoners. But it must have required no ordinary skill, to bring back the finances to order, after the reckless prodigality of the king, and the worse than negligence of the late ministry. The currency question did not escape his attention; a new coinage was instituted, and a gold coin was put into circulation, the florin, which represented the value of ten shillings.

During this period, several important constitutional measures were adopted.

The system of papal provisions had for some time excited angry passions in England; and even in the reign of Henry III. had been so far restricted, that the pope had pledged himself not to interfere with the rights of private patronage. The system of provisions had been introduced originally on a reasonable plea; that of preventing the patrons of ecclesiastical livings from keeping them long vacant, and converting the revenues to their private use. This was important in an age of violence; and, no doubt, it prevented, at one time, a simoniacal traffic in benefices. But it was not long before the system, however honestly designed at first, was abused by a succession of unscrupulous pontiffs, who were gradually, by these means, converting to their own use the patronage of some of the best preferments in the various churches of Europe. The plan was, when a valuable piece of preferment was likely to be void, for the pope, having notice of it through one of his agents, to declare that, before the vacancy, he, to the utter disregard of all other rights, had provided an incumbent. Kings and clergy had often remonstrated against this proceeding. But, by the insincerity of the kings, the remonstrances

produced but little effect. Kings would withdraw their opposition, when popes were prepared to provide for the royal favourite, in opposition to a recalcitrant chapter. The laity, in general, had been little interested in the controversy, and the clergy had been left to fight the battle by themselves, overawed by the pope, unprotected by the king.*

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But the time had now come, when the earls and barons found it necessary to make common cause with the clergy, against this usurpation of the see of Rome. The successor of the conscientious Benedict XII. was a Frenchman, devoted to French interests, and surrounded by French cardinals—Clement VI. He was voluptuous and expensive; his court was conducted on the most splendid scale of magnificence, and as scandal whispered, or more than whispered, it displayed, in its decorations and arrangements, the influence of female taste. It was certainly known that, in all that related to the patronage of the papal court, the interest, which prevailed was that of the Viscountess of Turenne, and that her interest could only be secured after some transactions had privately taken place between her treasurer and the aspirant to certain vendible preferments.†

All this might have been tolerated, if money had not been required to meet the expenses of the court, beyond what the Viscountess of Turenne was able or willing to supply. A mine of wealth seemed to be opened through those abuses, of which complaint had been often made—the papal provisions and reservations. Benedict XII. had piously abstained from enriching his family or rewarding his dependents through this source. His successor had no such scruples. Never was the abuse in this respect

* Butler's Hist. of English Catholics, i. 35. Kennet's Hist. England, 220.

† Matteo Villani.

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carried to a greater extent than at the present time. The indignation of the English people was excited to the highest pitch, when, having introduced foreigners, often the mere servants of French cardinals, into English benefices; or requiring the profits to be paid to them; Clement availed himself of the proclamation of a jubilee, to declare a provision for two of his cardinals upon the next vacant benefice—not a bishopric or abbey (he wished to avoid a collision with the crown)—to the value of a thousand marks a year.

We are not to suppose, that this proceeding was regarded with the feelings with which a similar transaction would be regarded now. At that time, the cure of souls was not necessarily connected, in the public mind, with the profits of a benefice. The beneficed clergy were not considered as persons paid for duty done, but rather as the possessors of property to which certain duties attached. The ecclesiastic held certain property in land. As the lay lord, in return for his landed possessions, rendered services to the king; so the ecclesiastic was, as the condition of his holding certain estates, to make provision for the performance of certain duties in the parish church. So long as the duty was done, it mattered not who was the doer of it, the principal or his deputy.

It did not appear, therefore, monstrous, in itself, that the pope should act on the same principle as the king. He only said, “You have patronage in the Church of England—you use it to remunerate your servants; and I have acquired patronage in the Church of England, why should not I, in the same manner, make provision for my servants?”

The argument was not easily answered,—though preceding popes had sometimes met with a sturdy resistance, both in the acquisition and in the exercise of their patronage,—until now, when a Frenchman was pope, with a

court at Avignon instead of Rome, a creature of the King of France, who was supposed to be usurping the throne of the King of England. It was characteristic of the nascent English mind, not to contend against an anomaly so long as it was only in speculation; but to rise up, at once, in indignation, when the grievance became practical.

The residence of the popes at Avignon, and their subservience to the French crown, created in English politics an anti-papal spirit, which tended even more than any religious feeling to the great change effected in our Church at the Reformation; and one of the arguments sought out to maintain their cause by English statesmen,—the importance of having beneficed clergy who would perform the duties themselves,—had an influence upon the public mind beyond what was first intended.

The difficulty of distinguishing between the political and the spiritual character of the pope had already been surmounted in Italy.

What was the feeling in England on the subject is thus stated by a contemporary writer: “It is to be noted that the pope may often err against justice, and may excommunicate the true part, and give his benediction to the false part. He may grant indulgence to those who are fighting on the false side; and then God will give His benediction to the true part, and the acts of the pope will not hurt it.”*

* John of Bridlington, Pol. Songs, i. 165. Who the real John of Bridlington was is not known. He assigns various reasons for concealing his name, and his fear, as a young man, of provoking the anger of his elders, and of the aristocracy. He does not mention any fear of giving offence to the clergy, whose sentiments he generally expressed. The notion, that the bishops, at this period, sided with the pope can only have suggested itself to minds ignorant of the state of public feeling in England in the fourteenth century, and judging everything according to modern and merely protestant ideas. It were more correct to say that in the thirteenth and fourteenth centuries statesmen and lawyers usurped the preferments of the Church, than that ambitious churchmen

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The government of England assumed a firm attitude, and the pope himself attributed it to the influence and advice of Stratford. A remonstrance was addressed to the pope in courteous, almost adulatory, terms by the princes, earls, barons, knights, citizens, burgesses, and all the commonalty of England, which was conveyed to Avignon by an eminent lawyer, Sir John Shorditch. It alluded with freedom, to many papal abuses, and expressed the determination of the nation not to permit any portion of the national wealth, to be drawn from the country to enrich foreigners, especially those who were the king's enemies.

The last point contained the sting, and excited the anger of the cardinals and the pope, who were conscious of its truth. Clement, with his usual courtesy, exonerated Sir John Shorditch from all blame, as being the bearer, not the author, of the manifesto; but, referring to the archbishop, he said he knew who it was who stood opposed to the pope and his proceedings, and that man's pride he would take good care to humble.

Clement wrote (in the courteous strain of one who was aware that he did not stand on sure ground) both to the parliament and the king. He stated his case as it has been given above. But he received a very spirited reply from the king, "with devout kissings of his holiness's feet;" in which it was plainly stated, that neither the king nor his people would permit foreigners to hold pre-

intruded on civil and legal offices; Stratford, for instance, educated as a lawyer, and because a diplomatist and statesman, receiving the chief emoluments of his office from holding high preferment in the church, the duties of which he, to a certain extent, or until he was disgraced at court, discharged by deputy. Upon the rights of the prelacy the pope was always encroaching, and against these encroachments they were prepared to offer resistance, although when any direct opposition was offered to the pope they put forward the lay barons, as being in this respect the more independent.

ferment in England, much less foreigners who, though attached to the papal court, were, avowedly, the king's enemies. Without perceiving, that he was using a two-edged knife, which cut both ways, the king declaimed on the evils resulting from the non-residence of the beneficed clergy, and on the wrong done to the clergy of the Church of England and the cause of learning, when the patronage of the Church was misapplied. The king went further; and asserted, that any papal patronage in England, was a usurpation. He maintained, that the right of filling English sees, and of nominating to English benefices, was vested in the Crown of England; on the ground, that to the kings cathedral churches were indebted for their first endowments; and that, from the first planting of Christianity in the land, this was part of the royal prerogative.

The idea of the pope's taking a hostile position to the king of England; and then, by an evasion of the law, abstracting from England the profits of her benefices, to be conferred upon her enemies, so rankled in the public mind, that, in 1346, when Stratford was the head of the council, and his friend John de Ufford, the dean of Lincoln—afterwards elected to the see of Canterbury—was lord chancellor, very stringent measures were adopted against provisors and aliens. In answer to petitions addressed to the council by the commons, it was enacted, that the profits belonging to foreigners, who had acquired benefices in England, should be forthwith forfeited to the king; that all alien monks should avoid the country; that any vessel which should bring an alien into the kingdom should be confiscated; that no person during the wars should send money out of the kingdom to the pope or to any foreign bishop for any duty whatsoever; that no Englishman should farm any benefice of any alien monastery, under pain of perpetual imprisonment; that no person should bring into the realm any bull or other

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letters from the court of Rome, or from any alien, without showing the same to the lord chancellor or the wardens of the Cinque Ports, on penalty of forfeiting all his possessions.*

This was a boon to the monasteries, as well as to the clergy and the people. There were priories in England—alien priories—which, founded by Norman kings, had been attached to foreign abbeys. These priories were now occupied by Englishmen; who, however, had hitherto been accustomed to pay an annual rent to the foreign establishment, to which they were affiliated. In many instances, this connexion, from this time, permanently ceased.

The king was, indeed, nobly supported by all classes of his subjects. When, in 1344, the truce was broken, the most liberal grants of money were made to enable him to conduct the war with success, both by convocation and by parliament.†

So good an understanding, indeed, prevailed between the clergy and the parliament, that the same parliament, which passed the stringent measures just mentioned against the pope, passed another act to strengthen the hands of the clergy. The statute of Mortmain was so far modified, that the bishops were empowered to purchase lands, provided the royal license was first obtained. Certain disputes also, relating to trials for bigamy, and the rights of appeal, which had arisen between the spiritual and civil jurisdictions, were settled in favour of the Church.

* Parliamentary Hist. i. 265.

† Collier, iii. 100, remarks that we may observe at this time something of the distinct powers of the two provinces of Canterbury and York. A triennial dime, or tenth, having been granted to the king by the clergy, the clergy of the province of Canterbury paid it at the feasts of Our Lady and of St. Barnabas, while the days of payment for the province of York were the feasts of St. Luke and the nativity of St. John the Baptist.

In short, everything proceeded prosperously with the administration of Stratford after his restoration to favour. During his administration, the English arms were crowned with success at Nevill's Cross; and the news came, the glorious news that the battle of Cressy had been fought and won. The national enthusiasm was excited. Among the greatest of heroes, England's king was now to take his place. England had assumed, never again to lose, the foremost position among European powers; and it is not, in this place, an anticlimax to add, the veteran statesman, who had hitherto directed the counsels of Edward III., felt that his work was done, and well done.

Stratford, like all really great men, frequently sighed for that retirement, of which, however, from the activity of his mind, he soon became weary. Wearied by business, he sought to reinvigorate his soul by retirement; and his reinvigorated soul soon became appetent of work. The spot on which he sometimes sought his otium, so fairly won and so wisely used, was his manor of Mayfield, in Sussex; the favourite country residence of many of the primates. Stratford was a man of literary tastes, and enjoyed the society of learned men. Among his friends were the Doctor Profundus, Thomas Bradwardine, afterwards destined to succeed him, for a short time, in the primatial see, and the first patron of Bradwardine, Richard Bury; of whose library we possess an interesting account. Stratford and Richard Bury had been both of them canons residentiary of Chichester, of which important city Thomas Bradwardine was a native.

The great and important work of Bradwardine, studied by deep theologians even in the present age, is the "De Causa Dei;" and when I saw among the Harleian manuscripts a work entitled "Commentarius de Deo," attributed to Stratford, I thought, as others had done, that this was the work of our archbishop, and that it might contain the

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result of his conversations with his more learned friend. But this I find to be the work, not of John, but of Edward de Stratford.

The only remains we have of Stratford are certain official documents, and letters to the abbot of St. Augustine. There is a letter said to be written by the archbishop among the Bodleian MSS., which I have not examined.

When the archbishop was at Mayfield, thirteen poor persons would present themselves every morning, and each would receive, from the archbishop's own hands, a loaf of bread and thirteen pence in money. At noon, thirteen other poor persons made their appearance, who dined at his table, and, at their departure, received, each, a loaf and a penny. He had lived too much among his fellow-men, not to be aware, that a kind word, coming from the kind heart of a man in an exalted station, appeals to the heart of an inferior, much more powerfully than the most liberal dôle, when held out by the surly hand of one, who can have compassion on temporal sufferings, but knows not how to minister, by sympathy, to the mind diseased. Fragments would be left on his hospitable board, by the careless recipients of his bounty; these he would have carefully collected, that nothing might be lost, and he would direct them to be sent, with his benediction, to those poor persons, who were too infirm to present themselves at his gate.

Towards the close of life, and especially in 1343, the archbishop found pleasure in visiting his native place. There is something refreshing to the mind in the contemplation of a man immersed in business, throwing off the trappings of greatness, and conversing freely with the surviving friends of his youth; indulging in those tender sentiments, which the wise man cherishes as a rich inheritance from his mother, to whose training he traces all that is gentle, tender, and affectionate in a manly nature.

It is pleasant to think of the three old men, John de Stratford, Archbishop of Canterbury, Robert de Stratford, Bishop of Chichester, both of whom had sat more than once in the marble chair of the chancellor, and their kinsman Ralph, Bishop of London, who stood so nobly by the archbishop in his troubles—it is pleasant to think of the three old men, walking on the banks of the soft flowing Avon, by whose silver streams, in aftertimes, “on things more than mortal, our Shakspeare would dream ;” it is pleasant to see them, in the mind’s eye, reverting to the merits of their beloved parents, Robert and Isabella, and devising the means to do them honour by benefiting their fellow-creatures.

Robert of Stratford, the younger, before he became a bishop, had been the parson of his native place ; and as, with his brother, he trod the well-known pathway through the street to the ford, he would revert with pleasure and pride to the difficulties he had overcome, and the troubles he had encountered, to secure the blessing of a good road to the traveller.*

From the ford they would wander to the church, there to kneel at the grave of their father, or at the grave of their mother. Although John’s had been the life of a man of the world, yet he could point to the south aisle of the church to show that he had not been forgetful of his duties as a bishop. So long ago as when he was Bishop of Winchester, he erected the south aisle of the church. This he assigned to the adjoining chantry to be their chapel. Of that chantry he was the founder. It consisted of four clergymen in priest’s orders, whose duty it was to celebrate divine service to the honour of Almighty God, at the altar of St. Thomas, for the good

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* Dugdale, 476.—He procured a patent for taking toll for the space of four years on certain vendible commodities for paving the town. The patent was twice renewed.

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estate of John de Stratford and Robert his brother ; for that of the father of these brothers, who had been friends through life, Robert, and Isabella his wife ; for the souls of all the brothers, sisters, friends, and benefactors of the founder ; and, as the consent of the king and the diocesan was necessary, before a chantry was established—for the souls of the kings of England and the bishops of Worcester.* John de Stratford had purchased the advowson of the rectory ; for livings were sold then as now. It was valued at the rate of thirty-five marks, and with this he endowed the chantry. To this endowment, with his brother's consent, he now added the paternal estate. And, to secure a comfortable residence for the clergy, Ralph de Stratford, sympathising with his kinsman, built a house of square stone, at considerable expense, and when stone houses were rare, to the ornament of the town.†

Some of these proceedings will be, in these days, condemned as superstitious. But the family affection, the loyalty to church and king, the desire of honouring the dead by benefiting the living,—these are sentiments, which in every age, and under every change of form, the religion of a heart not hardened by intolerance and bigotry must accept.

Stratford, though still at the head of affairs, happy under all the circumstances of life, felt, in the early part of the year 1348, the coming on of that illness, which he expected to be his last. As he found himself growing weaker he made his will, bequeathing his effects to his servants and domestics ; his cope, his mitre, and his manuscripts to the cathedral of Canterbury. He bequeathed benefactions to the convent of Christ Church, where the monks had stood by him in his trial. The residue he left

* Pat. 10 Edw. III. 2, M. 33.

† Dugdale, 182.

to his college at Stratford. He then directed, that he should be carried in a litter, to Mayfield, where he affixed his signature to the will. He sank peacefully to his rest. Having devoutly received the sacraments of the Church, he breathed his last on the 23rd of August, 1348. He was buried at Canterbury, where his recumbent statue, on a tomb of alabaster, is still to be seen, with his cross, his mitre, and other habiliments, carved in marble under a Gothic canopy.

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CHAPTER XI.

THOMAS BRADWARDINE.*

A Native of Chichester.—Prosperous state of Chichester.—Gilbert de S. Leofard. — John de Langton. — The Prebendary of Wittering. — Richard Bury.—An uncouth Student described.—Bradwardine a Merton Man.—Distinguished as a Student.—Mathematical Studies. —The Classical Pursuits.—De Causa Dei, edited by Savile.—Celebrity of the De Causa.—Motive of the De Causa.—Prevalent Pelagianism.—Styled Doctor Profundus.—A practical Man.—Proctor of the University. — Controversy with the Archdeacon of Oxford.—Neglect of Learning.—Admitted to the Household of the Bishop of Durham.—Literary Society.—Formation of a Library by the Bishop.—Bradwardine Chancellor of St. Paul's.—Prebendary of Lincoln.—King's Chaplain.—Goes to Flanders.—Royal Progress up the Rhine to Cologne and Coblenz.—Bradwardine Chaplain-General of the Forces.—Elected to the See of Canterbury.—Election superseded by the King.—Ufford appointed to Canterbury.—Ufford dies unconsecrated.—Bradwardine elected to the Primacy.—Consecrated at Avignon.—Strange conduct of a Cardinal.—Returns to England.—The Black Death.—Bradwardine dies of the Plague.

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JUDGING from the name, we may conclude, that the family of the celebrated schoolman, who is known in ecclesiastical history as the Doctor Profundus, came

* Authorities: Thomæ Bradwardini, Archiepisc. olim Cantuar. De Causa Dei contra Pelagium, et de Virtute Causarum. London, 1618. This, the great work of the Doctor Profundus, was edited by Savile, who has, in the Preface, collected the few facts which we possess of his personal history. See also Birchington; William de Chambre, Hist. Dunelm; William de Dene, Hist. Roff.

originally from Bradwardine, a parish near Hereford.* But we have the authority of the Doctor Profundus himself, for the fact, that he was himself a native of Chichester, as had been his father and his grandfather.†

The date of Bradwardine's birth is uncertain. Savile supposes it to have been about the year 1290; but it is difficult to make this harmonise with some of the events of his life, which would induce us to look for an earlier date.‡

Certain it is, that at the period of his birth, and for some time before, Chichester was in a flourishing condition; and was the residence of eminent men, who took an interest in its welfare. The Lady Chapel, at the

* In public documents the name of the Doctor Profundus is usually written Thomas de Bradwardina and de Bredewardina. Savile conjectures that it was written Bradwardine, "euphoniæ, ut puto, gratia." Gerson has it Bragwardin; Gesner, Branduardinus; other spellings are Bredwardyn (Birchington), Bradwardyn (William de Dene), Bradwidyn (Chaucer).

† The words of Bradwardine himself are express upon this point: "Per similem etiam rationem quicquid nunc scribo Oxoniæ, scriberet pater meus Cicestriæ, quia genuit me scribentem, imo avus et proavus." It is strange that in the face of this declaration by Bradwardine himself, so many other places should be spoken of. Birchington says of him: "De parochia de Hertfield, Cicestrensis Dioceseos oriundus," Ang. Sac. i. 376. This Dart and Godwin convert into Hatfield: Hasted into Heathfield. But Bradwardine speaks not of the Diocese of Chichester, but of Chichester itself. William de Dene (Ang. Sac. i. 42), gives as his birthplace Condenna, that is, probably, Cowden, in the Diocese of Rochester. Savile says: "Ut non multum aberrasse videantur Balæus et Antiquitatum Britannicarum auctor, qui Hartfeldiæ natum asserunt in Diocesi Cicestrensi, quibus auctoribus, aut quibus permoti argumentis nescio. Apud me certe illa auctoris verba præponderabunt, dum aliquid certius ab aliis afferatur."

‡ Savile says: "Quo anno natus sit, quemadmodum nihil pro certo asseveraverim (ut sunt magnorum sæpe virorum principia obscura, quorum sunt notissimi exitus), ita, cum Procuratorem fuisse constet Universitatis Oxoniensis anno 1325, circa annum Domini 1290 natum crediderim, mediis temporibus Regis *Edwardi Primi*."

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east end of the Presbytery, had just been completed. It had been designed and commenced by the piety of Bishop Gilbert de S. Leofard,* and was completed by the distinguished statesman, who now presided over the see of Chichester, John de Langton.†

Whether young Bradwardine saw the campanile or bell tower, may be doubted. Tradition gives the work to Bishop John de Langton, but Professor Willis, from internal evidence, assigns to it a later date. But he must have looked upon the fair proportions of the south transept window which John de Langton was erecting; and gazed probably with awe on the tomb beneath it, which the living bishop had opened to be to him a perpetual memento of the certainty of death and the insecurity of life.

There were other great men at, or about, that time, connected with the cathedral of Chichester. There was Simon de Mepham, who became Archbishop of Canterbury; and who, in remembrance of the happy days, which he passed, as a canon residentiary of Chichester, selected

* Bishop Gilbert had been educated at Oxford, and was successively Precentor of Chichester and official of Canterbury. Mat. Paris speaks of the holiness of his life, "*vitæ illius sanctimoniam*," and alludes to his miracles, on the ground of which application was made to the pope for his canonization. There seems, indeed, to have been some ambition at this time to increase the number of English saints. Applications had been made, within a few years, for the canonization of Thomas of Lancaster, Archbishop Winchelsey, Bishop D'Alderby of Lincoln, Bishop Marsh of Bath and Wells.—*Fœdera*, iv. 268, 272, 275, 375; Wikes, 116; Waverl. 239.

† John de Langton was educated at Oxford, and was one of the many distinguished men who at that time gave fame to Merton College; he was, as stated in the text, an eminent statesman. His church preferments were the Rectory of Burwell, a prebend in York Cathedral; another in Lincoln in 1294; the treasurership of Wells; the Archdeaconry of Canterbury, 1299. He was consecrated to the see of Chichester on the 10th of September, 1307.

from the many manors belonging to the see of Canterbury, Slindon, in the neighbourhood of Chichester, to be his favourite retreat from the cares of business. John de S. Leofard, nephew of the late Bishop Gilbert, was dean, — a man of energy and zeal. But the person destined to be the great patron of Bradwardine, was Richard of Bury, who, having a stall in our cathedral, was already evincing his taste as a book-collector.

John de Langton, the bishop, was a man of whom Chichester was justly proud. He was not, indeed, eminent as a divine; but, as a lawyer and a statesman, he had few equals. He had commenced life as a clerk in Chancery, and is the first person, to whom the title of Master of the Rolls can be distinctly traced. In a letter patent of Edward I., 1286, quoted by Mr. Hardy, he is called *Custos Rotulorum*. In 1292, he succeeded, in the chancellorship, one of the most distinguished statesmen that this country has produced—Burnell, Bishop of Bath and Wells. In 1307, when John de Langton was consecrated Bishop of Chichester, he had twice sat in the marble chair at Westminster, Lord High Chancellor of England. He had received many ecclesiastical preferments, the duties of which he had discharged by deputies, employing the income to maintain his dignity at court. But in 1307, he had begun to see the vanity of mere secular pursuits; and he gradually weaned himself from the world, having determined, at all events, not to follow the example of too many of his brethren; who, in serving the king and the state, neglected those spiritual duties, which men of true piety regarded as their first concern. He was, probably, influenced by the example of his immediate predecessor,—one of the few prelates who had not busied himself in worldly pursuits. Bishop Gilbert was a truly good man. Bishop Gilbert was munificent in what related to the general interests of the cathedral

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and diocese, and unbounded in his charity to the poor. Bishop Gilbert was so respected and beloved while living, that it was expected, that miracles would be performed at his tomb. Some who had sought relief in vain at the shrine of our great St. Richard, knelt at the grave of Bishop Gilbert; and among nervous patients, whose imaginations were heated, some wonderful cures were effected. The people of Chichester, ambitious to have another saint, demanded the canonization of their late diocesan. Although we may regard such persons in these days as superstitious, the name of Gilbert among the prelates of Chichester is still spoken of with reverence and respect.

Under such superintendence, the parochial clergy united with the dean and chapter in their efforts to make, by the erection of a spire, a suitable addition to an edifice, which was properly regarded, as the parish church of the whole diocese. On certain festivals, other churches were closed; and to the mother church all persons were expected to repair. This circumstance rendered them the more ready to give assistance.

The Prebendal school was not yet established; but about the year 1224 Bishop Ralph Neville had attached a Divinity lectureship to the prebend of Wittering, and the prebendary was sworn "*Se lecturum in claustro Cicestris temporibus opportunis.*" *

Although, therefore, the present cloisters are of later date, yet a cloister existed in the fourteenth century; and

* *Ordinatio Bonifacii, Archiepisc. ad Johan. Cicestr. Episc. E. 213: "Episcopus qui pro tempore fuerit, tenetur conferre et conferat dictam Præbendam Regenti actualiter in theologiâ, qui in receptione præbendæ juret corporaliter, in claustro Cicestris fideliter et sine fraude se lecturum, temporibus opportunis. Volumus et ordinamus, quod hoc onus legendi, dictæ præbendæ perpetuo sit annexatum. In cujus rei testim." &c. Dat. apud. Slyndon die Scti. Bartholomei, 1259.*

here young Bradwardine received the first elements of that learning, by which he was destined to elevate himself above his contemporaries, and to establish an immortal name. In the same cloisters, he would converse with Richard of Bury, of whom we shall have occasion to speak hereafter. Richard Aungerville of Bury, filled some of the highest offices in Church and State ; but he is still more distinguished for the library he collected,—the largest belonging to any private person in the country. He was a man of much dry humour and wit ; and, warning young Thomas to be careful to wash his hands before presuming to handle a book, he thus satirises some of the uncouth students, whose manners and habits reflected discredit on literature :—“ You will sometimes see,” he remarked, “ a stiff-necked youth lounging sluggishly in the scriptorium. In winter the frost perhaps pinches him ; the big drop hangs from his nose, and being too lazy to wipe it off with his handkerchief, he lets it fall upon the moistened page. Better than a book upon his knee a cobbler’s apron would befit such a creature as this. Any passage that pleases him he indents with a filthy nail big as a giant’s. Then he marks the places, that he may recur to them, with straws sticking out from the volume. These straws, which the stomach of the book never digests, and which nobody ever takes out, distend the book at first, and then they become putrid. Over the open book the fellow munches cheese and fruit, and on it he places his empty jug, first on one side, then on the other ; having, in fact, no alms-bag at hand, he fills the book with the fragments of his food. He keeps on chattering his nonsense with eternal garrulity to any chance companions, and splutters the page with his saliva ; or still worse, feeling inclined for a nap, he digs his elbows into the page over which he sprawls. Then, to repair the creases, he twists back the margin of the leaves, to the no

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small detriment of the volume. Or if it be spring-tide, he stuffs his volume with violets, roses, quadrefoils which he wishes to preserve. In summer he comes in with the sweat oozing from his wet hands, and turns over the volume; then with a dusty glove he will soil the white parchment still further by attempting to dust it, or will pass over the page, line by line, with a forefinger armed with dirty leather. Then, perhaps, a flea bites him, and all of a sudden the holy book is flung away, soiled and swelled with dust, resisting all attempts to close it."

Such was the complaint of a book-collector in the fourteenth century; and a good rule was laid down by Richard Bury when he insisted, that washing should always precede reading—a rule which the librarians of mechanics' institutes, and we may say the librarians also in fashionable watering-places, even in the nineteenth century, would be glad to enforce.*

We know not the year, in which Thomas Bradwardine left the cloisters of his native city for the banks of the

* Philobiblon, cap. xvii. In the Paris edition of 1500, this work is called Philobiblion. Canon Shirley, in his valuable Preface to the Fasciculi Zizaniorum, xlvi., says that the real author of the Philobiblon was not Richard Bury himself, but his chaplain Robert Holcot; but Mr. Foss remarks, that the history of the bishop's private life, in chapter viii., makes it probable, that it was Richard Bury's own composition. William de Chambre describes Richard Bishop of Durham as only "sufficienter literatus;" and there are classical references, which show the author to be a well-read man; or they may be regarded as pieces of pedantry of which you would suppose a man "sufficienter literatus," wishing to appear a scholar, to be guilty. The pedantry of the work struck me, when first I read it, as remarkable; the author goes out of his way to show his learning. There are, however, some striking passages as well as worthy remarks. The following might be placed over the door of a library. Speaking of books, he says: "Hi sunt magistri qui nos instruunt sine virgis vel ferulâ, sine verbis et colerâ, sine pane et pecuniâ. Si accedis non dormiunt, si inquiris non se absconderunt, non remurmurant si obcurres, cachinnos nesciunt si ignores."

Isis. We only do know, that he was one of the many distinguished men who proved the wisdom of Walter de Merton, in introducing the collegiate system into our universities. He was a Merton man; and the catalogue of the Chancellors and Proctors of the University of Oxford contains his name in the year 1325—Procuratores Willelmus de Harrington et Thomas de Bradwardine. His contemporaries are unanimous, in the testimony they bear to his early pre-eminence as a scholar. He was familiar with the writings of Plato and Aristotle; and, at the same time, distinguished himself as a mathematician. According to Savile, no one approached him in this department of science. He instances, among the other works of Bradwardine, his “Astronomical Tables descriptive of the Equations of the Planets and the Conjunctions and Oppositions of the Heavenly Bodies.” These Savile, a very competent authority, had examined. Bradwardine’s treatise “De Arithmetica Speculativa” was published at Paris in the year 1495, and again in 1530—a proof of the high estimation in which the work was long held. Another treatise, “De Geometria Speculativa,” was also published in 1495, and this was reprinted in 1516. His treatise “De Proportionibus Velocitatum” was printed first at Paris, and then at Venice in 1505.*

From the school of science he passed into that of moral philosophy and theology. He was requested by the Fellows of Merton to lay before them the results of his studies, and he delivered to them a course of lectures, which, when he afterwards resided in London, and had the library of Richard Bury to consult, he arranged in the form of a treatise and published. It was edited, with his usual ability, by Savile, himself a Merton man, in 1618, at the suggestion of Archbishop Abbot. In the

* “Plurimos alios conscripsit,” says Savile, “in omni disciplinarum genere, si credimus Baleo, mihi non tractatos.”

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six manuscripts consulted by Savile the title of the work is "Summa Doctoris Profundi." The title it now bears is "De Causa Dei contra Pelagium et de Virtute causarum ad suas Mertonenses libri tres." It is a folio of more than 900 pages. It is a mine of thought, and is consulted by deep thinkers, especially those of the Calvinistic school, in the nineteenth century. It was analysed in the last century, with great care and judgment by Dean Milner, who was one of the first mathematicians, and perhaps the most learned of the Calvinistic divines of his own age.

Immediately upon its publication, this work was received, by all learned men, with such applause, that it immediately found a place in almost all the libraries of Europe. Gerson, Gregorius Ariminensis, and many other writers quoted from it, as regarding its arguments in the light of an authority. On a work which made such an impression on the public mind it is necessary to offer a few remarks.

The school philosophy, it is well known, was employed in the application of dialectics to theology. By theology, or by orthodox theology, was meant, in the middle ages, the theological system deduced, or deducible from the writings of St. Augustine. Augustine stood in the same relation to the mediæval doctors, as that in which Calvin stood towards the theologians of England, in the sixteenth and seventeenth centuries. But, as is often the case with respect to authorities to which men nominally defer, Augustine was less read than praised; and when he was quoted, the quotations were too frequently taken from abstracts made from his works, apart from the context; consequently, he was frequently misunderstood, and more frequently misinterpreted.

Bradwardine was a student of the entire works of the great Latin doctor, whom he regarded as the true apostolic logician and philosopher. As he read deeply and thought

profoundly, he was fearless in declaring what he believed to be the truth. He feared not to startle the world by declaring, that nearly the whole Church had become Pelagian. In attempting to prove his position, he anticipated, to a certain extent, the work of the Reformers of the sixteenth century. For some time, there had been a strong anti-papal spirit in England, so far as politics were concerned. To a French pope residing at Avignon the English were naturally opposed; but it is in the pages of Bradwardine, that we have the first surmise, that there was doctrinal error as well as erroneous conduct. He pointed out the occult Pelagianism, which existed in the doctrine which related to what was styled the merit of congruity—the doctrine against which our 13th Article is directed. By rejecting the merit of condignity, that is, the merit, which claims reward on the score of justice, the divines of the fourteenth century supposed, that they escaped the heresy of Pelagianism. But from their desire to recognise, in some sense, the merit of human virtue—the constant demand of man's proud heart—they asserted the merit of congruity. According to this doctrine, it was contended, that the performance on the part of man of certain good actions, rendered it meet and equitable, that God should confer upon him saving grace. It is on this point, that Bradwardine is original, and he establishes his position with logical or rather mathematical precision. As he excelled in mathematics, so he brought his mathematics to bear upon his method of treating theological questions. He first of all, lays down two hypotheses or principles, and he then demonstrates their consequences, and deduces the corollaries. The consequences are sometimes such as would startle a more cautious and practical reasoner into a re-examination of his principles, or into a reconsideration of his hypotheses; but Bradwardine marches boldly on, perfectly contented if he is formally

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correct. His primary design was a refutation of Pelagianism; but, in the prosecution of his subject, he is led on to treat, at considerable length, of the Great God Himself, His Perfections, Eternity, Immutability, Immensity, and of His other Divine attributes, particularly His knowledge, power, and will. Bradwardine's principle of predestination is deduced from the absolute Being of God, from His self-existence and immutability. By this mode of arguing, the distinction sometimes attempted to be made between foreknowledge and predestination is excluded. Our author is not deterred from maintaining as a necessary corollary from his premises, that God willed sin *privative* though not *positive*. Human freedom is conditioned by the Divine necessity. The will of the Creator leads, that of the creature follows. His principles were what would be called, in modern times, extreme Calvinism.

These abstruse subjects present themselves, from time to time, for discussion in the Church, being designed, probably, by Divine Providence to interest the minds of men, by compelling them to stretch out their necks, as it were, that, if it be possible, they may look over the ramparts, which separate eternity from time. The mind must be severely exercised on religion; but the mind will not be excited unless perplexities occur. To those, whose inclination is to metaphysical inquiries, or to the reveries of mysticism, such subjects have a peculiar interest; and whatever tends to elevate the mind above the realities of ordinary life has, if not carried to excess, a salutary influence. Many minds have, in all ages, found it difficult to reject Augustinianism, or, as it was subsequently called, Calvinism; for it is against the conclusions that they have revolted, while, by the process of argumentation, through which the conclusions have been reached, they have been fascinated. Their moral nature and their

intellectual nature, their sentiment and their logic, are at variance. The feelings of the persons, who are opposed to the *à priori* argument, which leads to conclusions against which their reason rebels, are expressed by Pope with his usual terseness and felicity of expression :—

Let others creep by timid steps and slow,
 On plain experience lay foundations low,
 By common sense to common knowledge bred,
 And last to nature's Cause through nature led ;
 All-seeing, in thy mists we want no guide,
 Mother of arrogance and source of pride ;
 We boldly take the high Priori road,
 And reason downward till we doubt of God.

To this quotation from the most elegant of our poets we may add another from the father of English song, who united with his contemporaries in his admiration of Bradwardine, but demurred to some of the conclusions to which his mathematical precision brought him. The following passage occurs in the “Nun's Priest's Tale :”—

But what that God afore wrote must needs bee,
 After the opinion of certaine clerkis.
 Witnessse of him that any clerke is,
 That in Schoole is great altercation
 In this matter, and great disputation,
 And hath been of an hundred thousand men.
 But I ne cannot boult it to the bren,
 As can the holy doctour S. Austin,
 Or Boece, or the Bishop *Bradwardin*.
 Whether that God's worthy foreweting
 Straineth me needly to doe a thing,
 (Needly clepe I simple necessite)
 Or if the free choice be granted me
 To doe the same thing, or do it nought,
 Though God forewot it or it was wrought.
 Or if his weting straineth never a dele
 But by necessite conditionele,
 I woll not have to done of such matere.

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By the universal consent of learned men, throughout Christendom, the title of Doctor Profundus was accorded to the learned author of the "De Causa Dei," who is as well known by that appellation as Scotus is by that of Doctor Subtilis, and Aquinas by that of Doctor Angelicus.*

Our admiration of Bradwardine is increased, when we find that, student as he was, and devoted to the profound speculations of Christian philosophy, he never hesitated to leave his favourite studies; when, by the call of Providence, he was summoned to the duties of active life. He so arranged his secular pursuits as always to find time, like Mary, to sit at Jesus' feet; but he did not forget, that Mary had previously assisted Martha in her household work. He only objected to serve when, *the service being overmuch, and undertaken voluntarily*, prevented him from attending to that care of the soul, which he knew to be the first duty of the individual to himself. Classical literature was, at this time, studied, and, as we see in the Philobiblon, was rather pedantically displayed. Bradwardine may, therefore, have passed from things sacred, and have observed *Mertonensibus suis*, that although with Theophrastus he preferred the contemplative life, he would also follow the advice of Dicaearchus, and engage in a life of action, following the example of Cicero in the union of the two classes of duty.

In the year 1325, he accepted the office of junior proctor in the University of Oxford, and was immediately involved in the intricacies of a troublesome lawsuit. A

* We may here remark that the Dominicans were avowedly the advocates of the doctrines of St. Augustine, and especially accused the Franciscans of being semi-Pelagians. To this circumstance I attribute the supposition of some later writers, that Bradwardine was a Dominican, for which I can find no contemporary authority. If he had been a Dominican, we may be quite sure that the Dominicans would have made their boast of him.

controversy had arisen between the University and the Archdeacon of Oxford. The archdeaconry was held in commendam by a certain Galhardus de Mota, Cardinal of St. Lucia; and while the duties of the office were neglected or performed by deputy, the emoluments were farmed by certain unscrupulous persons, whose object was, of course, to make the best of their bargain. In the archdeacon's name, they claimed spiritual jurisdiction within the University of Oxford. This was done, not for the purpose of enforcing discipline, but with an evident tendency to relax it. Their object was to obtain jurisdiction in the University, in order that they might compel the students to purchase a relaxation of discipline, or occasionally buy off a threatened prosecution. The archidiaconal officers were low men, whose mode of proceeding in the diocese is described in the introductory chapter, and it was thought, that a course of proceeding, found to be lucrative in the diocesan cities, would be productive of great gain in the University. The chancellor and the proctors maintained, that, by the common law of England, the discipline of the University rested with them. They spoke with contempt of the non-resident archdeacon and of his pretensions. When this was reported to the cardinal, he was violently indignant, and obtained letters from the pope, requiring the attendance of the chancellor, proctors, and certain masters of arts at Avignon, to make answer to such things as should be laid to their charge. They declined to put in an appearance, and instituted a counter suit by appealing to the king. The king gave them a gracious hearing, and succeeded in compelling the archdeacon to submit his case to the arbitration of English judges.*

For a man who, like Bradwardine, loved learning for

* Wood, Annals, 408. *Fœdera*, iv. 190. The affair was not settled before 1330, if even then. A few years afterwards the University was exempted from episcopal jurisdiction.

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its own sake, the University was the proper place; but he was summoned to London, to become one of the household of the Bishop of Durham, who was none other than his former friend and patron, Richard Aungerville, better known by the name of Richard of Bury. This eminent man had been consecrated to the see of Durham in 1333, and having been appointed Lord Treasurer on the 3rd of February 1334, and Lord Chancellor on the 28th of the following September, was now at the head of a splendid establishment. Thirty-six esquires waited in uniform in his hall, and twenty chaplains all arrayed alike. Nobles resorted to his court, and he was visited by royalty itself. But his delight was in the society of men of learning. He could himself repeat conversations, which he had, when he was on an embassy to Avignon, with Petrarch, already renowned. At dinner, a reader was appointed. In this appointment, Richard Bury introduced, into his episcopal establishment, a custom prevalent in the monasteries; but his learned companions, inclining to pedantry, referred also, very probably, to the practice of the Romans, who, as we learn from Cicero, employed not unfrequently an *anagnostes*. A free discussion, after dinner, was permitted to the learned men, who assembled at the hospitable board. The change, therefore, from Merton College to the palace of the Bishop of Durham, or to his residence in London, was little more than the removal from one college to another. The change, indeed, was hardly so great in the case of Bradwardine; for he was associated with seven other Merton men—a circumstance, which reflects the more honour on that society, when we find, that the Bishop of Durham was not a Merton man himself. There were, besides Bradwardine, Richard Fitzralph, afterwards Archbishop of Armagh, the opponent of the mendicants and the precursor of Wiclif; Walter Burley;

John Maudit; Robert Holcot (supposed to have been the real author of the *Philobiblon*); Richard Kilwington, or *Kilmington*, all doctors of divinity, as was Bradwardine himself; Richard Bentworth, afterwards Bishop of London, and Walter Seagrave, afterwards Dean of Chichester.

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These men were happily employed in assisting the bishop, in the collection and arrangement of a library, which became one of the wonders of the age. The bishop thought, with Cicero, that to attach a library to his residence was to supply a soul to his household; and if he found in Holcot his *Tyrannio*, he found in Bradwardine an *Atticus*. Richard of Bury's opportunities for effecting his purpose were great, and of these he availed himself to the utmost. As treasurer and chancellor he was in constant attendance upon the king; and in their progress through the country, while the king was enjoying the pleasures of the chase, the chancellor was hunting for rare books—"for crazy quartos and tottering folios," as he himself expressed it—in the libraries of the neighbouring cathedrals and monasteries. He found many of these public libraries in a dilapidated condition. Books of inestimable value were covered with the excrements of mice, and pierced through by the gnawing of worms. Richard's love of books was soon known, and people discovered that they could purchase the favour of the chancellor, though not by money, yet by quartos. In his foreign embassies, he states, that he gave it out, that he "preferred folios to florins, books before bags, and petty pamphlets to pampered palfreys." Valuable additions to his library were, in consequence, easily obtained.

The books were collected rather than arranged, until he retired from public life, and confined himself to his episcopal duties. In every manor house of the see, books were seen lying about. No one could take a seat

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without knocking against a book. His bed-room was full of them. He boasted, that the first Greek and Hebrew grammars were the result of his labours; and the library which his chaplains were now assorting in London, preparatory to his final removal to Durham, he bequeathed at his death to the students of a college in Oxford, at that time called Durham College, but now known as Trinity.

In this library Thomas Bradwardine found the books which it was necessary for him to consult, when he gave the "De Causa Dei" to the public. At the same time we must admit, that Bradwardine did not make all the use of such a library as might have been expected, or rather as would have been expected in a more accurate age. His quotations are carelessly made, and not unfrequently from apocryphal Greek authors. Of this his learned editor complains.

Bishops, like kings, sought to pay their servants not from their own purses, but by converting, in their favour, the preferments of the Church into sinecures. The Bishop of Durham obtained for his chaplain the Chancellorship of St. Paul's, with the Prebend of Cadington minor attached to it. Bradwardine was collated on the 19th of September, 1337. He accepted, soon after, a prebend in Lincoln Cathedral. To the acceptance of the latter preferment he at first demurred. So much had been said, of late, against non-resident-beneficiaries,—though at first the remarks were intended only to apply to foreigners,—that a conscientious man like Bradwardine may have hesitated to make himself responsible for duties, which he was never likely to discharge in person. When he was in London, he could perform the duties of the chancellorship, and he probably read, in St. Paul's, what he had formerly delivered as lectures at Oxford, before he collected his productions into a volume. At Lincoln his

stall would be a sinecure. But whatever his scruples may have been at first, they were overruled, for he was nominated to an office, in which all the money he could collect would be required.

On the joint recommendation of Archbishop Stratford and Bishop Richard of Bury, Thomas Bradwardine was appointed one of the chaplains of the king. Here the expenses, like the power, would be great; the salary nil. The king would find employment, the Church pay. If credit is to be given to the political songs of the day, the life of King Edward III., at this period, was so immoral, that we may suppose, that these prelates, though men of the world—statesmen and lawyers rather than divines, but still men of unimpeachable morality—desired to place in contact with the king a man, whose firmness of character was only surpassed by his unpretending modesty and gentle temper. The very abjects respected Thomas Bradwardine.*

The new chaplain joined the brilliant court of Edward III. in Flanders; and formed part of the suite, when on the 16th of August, 1338, escorted by peers and prelates, with a numerous retinue of servants, and a body guard of sixty men, the king proceeded up the Rhine. The king's object was to hold a conference at Coblenz, with his brother-in-law, Louis of Bavaria, whose right to the imperial diadem was maintained by the English. Until the illumination of the Rhine, on the reception given to Queen Victoria by the King of Prussia, the progress of

* He is described as "Regi Edwardo Tertio a sacris confessionibus," which is sometimes translated Confessor to the King. This was a title borne by all the royal chaplains. When the writer of this note was appointed one of the chaplains of George IV., there was an office still in existence, to which the title of Confessor of the Household was attached. The title was changed to Chaplain of the Household by Bishop Blomfield. Whether Bradwardine was the chaplain who ordinarily received the confessions of Edward III. is not known. That he was such we should infer from Birchington.

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King Edward from Antwerp to Coblantz was unsurpassed, perhaps unequalled, in magnificence. It was like the triumphant procession of a conqueror. All persons, of all classes, combined to give a welcome to the King of England, and to do him honour. By their enthusiasm, they made manifest the importance attached by the Germans to the English alliance, and the high position which our country had now taken among the nations of Europe.

There are few things more striking, than the minuteness and accuracy with which the public accounts were kept in the middle ages. The light which is thrown, by the study of them, upon the facts of history, as well as upon the customs and habits of our ancestors, renders them historically valuable. There is in existence a wardrobe account book of Edward III.* between the years 1338 and 1340, by which we might trace that monarch, in his peregrinations, day by day, through some of the most lovely, if not the most sublime scenery in the world. But we must confine our attention to the duties performed by the king, when acting under the direction of his chaplain and almoner.

In the life of Stratford, we have had occasion to notice the munificence, amounting to extravagance, of Edward, at this period of his reign. The emperor, dukes, marquises, counts found their coffers replenished by English gold, for which they paid in great promises to be almost immediately repudiated. The Church had no reason to complain. Directed by his chaplain, the king visited, for the purposes of devotion, the convents of the Minorites, Dominicans, Augustines, and Carmelites. These priories possessed relics; and, as travellers now deviate from the

* Copious extracts have been made from this document by Pauli in *Quellen und Erörterungen zur Bayerischen und Deutschen Geschichte*, vol. vii., and in his "Pictures of Old England."

high road, allured by the desire of seeing a picture and some splendid work of art, so, in the fourteenth century, a relic was the attraction. Warriors as well as pilgrims went out of their way, to pray at the shrine of some spiritual hero, and to ask for his intercessions in their behalf. At each of these convents, the king made a donation, which would amount, in our money, to about fifty pounds. If there were relics of English saints, the donation was considerably larger. When having arrived at Cologne, the king looked down, from the city walls, upon "the deep abounding river"—at that time, the high road of commerce—there was much to interest him in the welfare of a people, whose welfare, in a commercial point of view, was so much identified with that of England. One of the great objects of the politic monarch being to enrich his country, by encouraging trade;—with the traders in all countries he was popular. The mind of Bradwardine, meantime, as he gazed on the uncompleted edifice before him, reverted to his home, where the works in his much-loved cathedral were in progress. The noble choir of Cologne Cathedral stood, in all its beauty, before them; but so much remained to be done, before the wonderful structure as it was designed, would be completed, that, in the nineteenth century, it is still unfinished. Bradwardine reminded the king, that it was in the old cathedral of Cologne, that Richard Cœur de Lion offered public thanksgiving, in the midst of a sympathising people, for his escape from the Duke of Austria. So much was the king's grandfather, the illustrious Edward I., interested by this circumstance, that he had added to the endowments of the chapter, to secure certain masses for the repose of King Richard's soul. The old cathedral had been destroyed by fire; but the Archbishop Conrad von Hochstaden immediately visited England, to collect contributions from the English merchants and from King Henry III., a well-known patron

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of the arts. Edward III., though a wiser man than the third Henry, was himself an admirer of architecture, as was afterwards proved by his selection of William of Wykeham to be his architect, and by his enabling that munificent prelate to render Windsor Castle a palace as well as a fortress—a residence fit for England's kings in peace or in war. The magnificent design of Cologne Cathedral was laid before the king, and, after conference with his chaplain and almoner, he subscribed a sum amounting to not less, according to the present value of money, than £1,500.

“And so,” exclaims the German historian, Pauli, who loves England of all nations best, next to his own fatherland with which he wishes to identify it, “English gold is cemented with the very foundation-stones of Cologne Cathedral, and with the buttresses of the south tower. At all events,” he exclaims, “if ever a tablet shall be erected, inscribed with the names of the many high and mighty patrons of that vast labyrinth of columns and Gothic arches, among the first and most distinguished should stand the name of Edward III. King of England.”*

I know not how this may be, but we may state, with confidence, that if gold to the amount of a thousand pounds shall flow forth from the Prussian treasury, in grateful remembrance of the munificence of Edward, to be cemented in the strong walls of the rising spire of Chichester Cathedral, William King of Prussia will secure for himself a monument *vere perennius*, while his portrait shall find a place, in our south transept, next to the Conqueror of Cressy.†

* “Pictures of Old England,” 155.

† There was a succession of portraits of the Kings of England and the Bishops of Chichester in the south transept of the Cathedral, and the pictures, though damaged, have not been destroyed, and will be restored. One of the last public acts of the late Prince Consort was to visit

From Cologne the king went up the Rhine to Coblentz ; and on Saturday, the 5th of September, his public reception by the emperor took place. On a throne, raised twelve feet from the ground, sat the Emperor Louis, wearing the double crown, and carrying the sceptre in his hand. On a throne one step below him, sat his brother-in-law, Edward King of England, also wearing his crown. Around them in their robes of ceremony, and carrying the insignia of office, stood the electoral princes and other imperial dignitaries. It is said, that seventeen hundred lords and knights, attended by their retainers, were present on this occasion. Certain laws of the empire having been proclaimed in the name of the emperor, Louis nominated his brother-in-law, King Edward, to be his vicar or representative for all the imperial district lying on the left bank of the Rhine.

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It is no part of my business to enter into the political consequences of this ceremonial. But what now took place marks an era in ecclesiastical history. These events

the ruins of the Cathedral. To the pictures he directed his attention ; and having been told that they were not of any intrinsic value, his reply was : "Everything is valuable which marks the taste, good or bad, of any period in our history." In the first volume of this work, of which the Prince in gracious terms accepted a copy, it was remarked that England would not know his value until he was lost to her—a prediction which found its fulfilment awfully soon. Of the Prince Consort's wonderful ability to understand, almost intuitively, the most difficult scientific problems, when brought under his notice, I have heard some of the most learned of our scientific men speak with enthusiasm. The statesman will always refer to the illustrious prince as the first among the princes of Europe who understood the exact position which the sovereign occupies, in a constitutional government. The moralist will study his biography, as containing the most perfect example we have of self-abnegation for the good of others. When we speak of the consistent heroism, which results from a sense of duty, we think of the Duke of Wellington : in the late Prince Consort, we have a perfect model of unselfishness.

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took place not only without the concurrence of the pope, but in defiance of his authority. The papal power at Avignon, where the pope was in fact a subject of the King of France, was not what it had been at Rome. In the Babylonish captivity, as the Romans called it, the papacy received a shock, from which it never recovered. At this very diet, it was decreed, that the prince, who was chosen by the electors to be King of the Romans, should assume that high dignity without waiting for the confirmation of his title by the pope. The student of history will watch the silent, stealthy, but unceasing progress of those principles, which eventually terminated in the Reformation.

In the life of Stratford, we have had occasion to state how the high expectations of the King of England were frustrated by the intrigues of Avignon and of Paris; and it would seem from the violence of Edward, and the offences of which he was guilty, that Bradwardine lost for a season his influence over the royal mind. But that influence was soon regained. It was, doubtless, through him, to a considerable extent, that Edward was induced to receive back into his favour Archbishop Stratford, the friend of both. From the naval victory of Sluys to the glorious field of Cressy and the taking of Calais, Bradwardine was in attendance on the king.

He spoke to the king boldly, but always with affection and respect; not with the sternness of a judge, but with the sympathy of a Christian. He soothed Edward in his anger, and prevented him from being too much elated under his successes. He repressed the insolence of the soldiery, and, in his addresses to the army, he used such persuasive language, and conducted himself with such discretion and prudence, that he was regarded as a saint. So much so, that there were not a few, who attributed the victories of Edward to the efficacy of the chaplain's

prayers, quite as much as to the wise generalship of the king.*

So highly, indeed, was Bradwardine esteemed, even in quarters, where it may be feared, that his piety would not have been a special recommendation, in the court of Clement VI., that he was appointed one of the commissioners, to treat of peace with King Philip after the battles of Cressy and Neville's Cross.†

On the death of Stratford, in the year 1348, the Chapter of Canterbury, thinking to anticipate the wishes of the king, before they obtained the *congé d'élire*, elected Bradwardine to the vacant primatial see.

The king resented this irregularity on the part of the chapter, and, in order to punish the monks of Christ Church, he gave his sanction to what was a much more dangerous invasion of his prerogative. He requested the pope to supersede the election of the chapter, and to appoint John de Ufford by provision. He thus countenanced a proceeding against which his government had protested. What Edward desired was to have the appointment of the archbishop in his own hands; he was regardless of the means by which his end should be accomplished, whether through the chapter or by papal provision. His nomination of Ufford showed that, although it was inconvenient for him to part with Bradwardine at this precise time, he intended to advance the latter to the primacy ere long; for Ufford,—a distinguished statesman who had rendered good service to the king,—was, at this time, an aged and paralytic man. He received the temporalities on the 14th of December, 1348; but before his consecration, on the 20th of May, he died of the

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* Ang. Sac. i. 42: "Ipsum regem et exercitum suum salubribus monitis docuit et exemplis, adeo quod solius Dei potentia et non in multitudine armatorum Rex Angliæ tandem habuit victoriam æmulatorum."

† Barnes, 385.

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pestilence which for several months had devastated England. His death occurred at Tottenham. He was privately buried at Canterbury.*

On the death of Ufford, all parties agreed in the appointment of Thomas Bradwardine. The chapter applied for the *congé d'élire*, which was sent to them, with the recommendation, that they should elect Thomas. The pope issued a bull, which the king was not careful to peruse, in which he virtually superseded the election of the chapter, and appointed Thomas by provision,—the term now used to imply simply a papal nomination.†

Bradwardine being abroad, at the time of his nomination, and being anxious to return as speedily as possible to England, repaired to Avignon for consecration. Everything was transacted there, with as little delay as possible.

The papal court at Avignon was entirely French, and though the pope only yielded to circumstances in obeying the commands of Edward III., his proceedings caused no little annoyance to his friends. They could not have advised him to act otherwise, than he did, but they found a petty consolation, in evincing their anti-Anglican feeling whenever an opportunity occurred. Amidst all its extravagance, and we may add its profligacy, there was a want of refinement and an absence of dignity and decorum, in the court of Clement. The pope himself had said petulantly, that if the king of England were to ask him

* Rot. Claus. 19 Edw. III. p. 1. m. 10. Mr. Foss speaks of him as Archbishop of Canterbury; but archbishop he never was. The next primate Islip received dilapidations from Ufford's brother, because John de Ufford had been put in possession of the temporalities, and had not paid the dilapidations to his immediate successor, Bradwardine.

† "Per electionem canonicam et per provisionem Apostolicam successit," Ang. Sac. i. 42. This was done, more solito, by Clement VI. See Life of Islip, chapter xii.

to make a bishop of a jackass, he could not say him nay.

The cardinals were indignant and angry. The saying rankled in their minds, and one of them, a near kinsman of the pope, Hugo, Cardinal of Tudela, had the exceeding bad taste, as we should consider it, to seize the opportunity of Bradwardine's consecration to rebuke the pope, and insult the English. The consecration took place on the 19th of July, 1349. The pope gave an entertainment upon the occasion. Suddenly, in the midst of the festivities, the doors of the saloon were thrown open, and a clown seated on a jackass made his appearance, with a humble petition that he might be made Archbishop of Canterbury.

Practical jokes are always dangerous. Their success depends, not on the humour of him who makes them, but of him upon whom they are practised. Clement saw, at once, the folly of offering an insult to the king and people of England; and he felt the impropriety of turning into ridicule, one of the most learned, pious, and conscientious divines of the age, especially upon an occasion which, by the Doctor Profundus at least, would be regarded as most solemn. By a frown from the pope the jocose cardinal was rebuked; and the other members of the sacred college, taking their cue from their chief, obliterated the folly of one of their colleagues, by the respect which they vied with one another, in showing to the most learned archbishop.*

Bradwardine hastened to England, where the pestilence,

* Having mentioned the weakness and frivolity of Clement VI., it is only an act of justice to mention, that when the Black Plague was desolating Europe, he showed commiseration for the sufferers, and issued many wise regulations. As regarded himself, he kept up constant fires in his palace at Avignon, and allowed no one to approach him. Acting thus wisely, if selfishly, for his own safety, he ordered others to follow his example.

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known in history as the Black Death had already made its appearance. The great and good prelate, who had known how to administer the consolations of religion to the wounded in the camp, and to the dying on the field of battle, regarded the post of danger as the post of honour.

The pestilence which, in the fourteenth century, devastated Asia, Europe, and Africa, has been identified, from the accounts handed down to us of its symptoms and effects, with the glandular plague still, from time to time, making its appearance in the East.*

There were the same inflammatory boils and tumours of the glands, such as break forth in no other febrile diseases, and these, indicative of putrid decomposition, assumed the appearance of black spots upon the skin, and gave to the terrible visitation, in the northern kingdoms of Europe, the name of the Black Death. In many cases black spots, ὄσπερ στίγματα μέλανα, broke out all over the body, either single, or united and confluent. It was so contagious, that every spot which the sick had touched, their breath, their clothes, spread the disease. Even the

* A concise account of the Black Death is given by Hecker in his "Epidemics of the Middle Ages," which is translated, with some valuable observations of his own, by Dr. Babington. Hecker is indebted to Barnes, who gives his references to original authorities. The facts which the industry of Barnes selected are scientifically arranged by Hecker. The most important description of the disease itself is that given by the Emperor Kantakuzenos, who died of it at Constantinople. Joann. Cantacuzen. Historiar. iv. 8. One is surprised at the asteric and telluric speculations of Hecker, made in the style of the fourteenth rather than of the nineteenth century. No plague can be mentioned without a reference to Thucydides. Barnes refers to Thucydides as no mean authority, whom it is not beneath him, Joshua Barnes, to follow, and of whom he says, that he wrote elegantly of the Plague of Athens. See also Knyghton, Walsingham, Stow, and Wood. To these authorities I am indebted for what is stated of the Black Death in this and the following chapter.

eyes of patients, in their distortion and unusual lustre, according to a French writer,* were considered as sources of contagion.

It is remarkable that although this plague had made its appearance in the East in 1333, fifteen years before it broke out in Europe; having walked in its darkness from China to the Atlantic, and having desolated a large portion of the world; yet no precautions had been taken against its occurrence, either in England or in France. The public, in its indolence rather than apathy, were contented with being amused or alarmed by the most absurd reports circulated by friars and travellers. Stories were told of earthquakes, comets, and meteors; fiery beams and other coruscations in the air; a pillar of fire hovering near the papal palace at Avignon; a fire-ball seen in sunset over Paris; of ensanguined showers, of the sun eclipsed, and of the moon assuming the appearance of blood. At Chipping Norton, in Oxfordshire, a monstrous serpent was found, having two heads, with faces like women, one being shaped so as to resemble a new tire, which had just come into fashion. It had large wings, like those of a flitter-mouse or bat.†

So hypochondric fancies represent
Ships, armies, battles in the firmament,
Till steady eyes the exhalations solve,
And all to the first matter, clouds, resolve.

While the people opened their ears, and greedily

* Mezeray, *Histoire de France*, Paris, 1685, fol. I. ii. p. 418. Hecker, 51, remarks that, so far back as the age of Plato, a knowledge of the contagious powers and malignant inflammations of the eye, of which, also, no physician in the middle ages entertained a doubt, was general among the people; yet in modern times surgeons have filled volumes with partial controversies on this subject. "Lippitudo contagione spectantium oculos afficit," Chalin de Vinario, 149.

† Stow, 247.

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regaled on these absurd stories, the towns were left in such a condition as almost to court the pestilence when it approached our shores. With few exceptions, the towns and cities were narrowly built—they were kept in a filthy state; they were surrounded by stagnant ditches; and the houses were close, without ventilation. Instead of destroying vermin, there were fanatics who considered dirt to be meritorious.

The black plague made its first appearance in England in the month of August, 1348. It lingered, at first, on the coasts of Dorsetshire, Devonshire, and Somersetshire. Few cases occurred in London before the September of that year. Until the death of Ufford, there was, indeed, no very great alarm in the metropolis. Even then there was no suspension of public business. It is to be remarked, that, throughout Europe, the upper classes of society were, for the most part, exempted from the disease, owing, probably, to their greater cleanliness and their better food.

Such was the state of the country, when Bradwardine hastened to return to it. He felt no alarm. The God who protected him on the field of battle, was equally present to support him in the plague-stricken house. He determined not merely to say to his clergy, "Go," but he was prepared to lead the way to the abodes of sickness, sorrow and death, saying, "Come on." But his pious resolutions were not to be accomplished. He landed at Dover on the 19th of August. Here he was cordially welcomed by the people; and, the plague not having made its appearance in the town, he accepted an invitation to a public dinner given at the castle. He then hastened to do homage to the king, who held his court at Eltham. Passing through Chartham and Dartford, he arrived at Eltham, on the 22nd, where he received the temporals from the king. Thence he proceeded, at once, to London,

where the plague had already made its appearance. He did not go to the archiepiscopal manor house, the present palace, but stopped at La Place, the residence in Lambeth of the Bishop of Rochester. The Bishop of Rochester was a kind of vicar to the Archbishop of Canterbury, performing the duties of the diocese, when the Primate was engaged in provincial business, or in state affairs. The archbishop stayed here, to make the necessary regulations for the management of the diocese, and perhaps, also, because his own house was not furnished for his reception. The morning after his arrival, he had a slight feverish attack. He attributed it to fatigue; and when he consulted his physicians, they felt no anxiety, for no unfavourable symptoms had shown themselves. His pulse was good, and his placid countenance indicated no sign of danger; but, before night returned, alarm was felt throughout La Place. There was a swelling of the glands; tumours made their appearance on the groin, under the armpits, and behind the ear. The plague-spot was upon the dying man. Black pustules or carbuncles were seen. He felt a burning thirst, but the blackened tongue refused to be moistened. That tongue, so often employed, by the Divine Comforter to speak comfortably to the sinner's heart, was paralysed. In silence, he received the last offices of the Church from his chaplains. Symptoms of cephalic affection followed. He was stupefied. The mortification of his bowels had commenced. The precise moment of his death was not known. His alarmed attendants shrunk back from the couch, when they found that they could no longer give assistance to their friend and master. But they soon returned to a sense of their duty, and, in the fervour of their love and gratitude, defied the danger. He died on the 26th of August, and we should have supposed that, for fear of infection, they would have buried him on the spot. But all fears were absorbed in

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the desire of doing honour to one so worthy of respect as Bradwardine; and the Chapter of Canterbury claimed the privilege of giving the rites of sepulture to one who, though his name does not appear in the Calendar, was, in very truth, a saint.

CHAPTER XII.

SIMON ISLIP.*

Simon's gigantic stature.—Place of birth and education doubtful.—Patronized by Stratford and Burghersh.—Early Preferments.—A Lawyer.—Dean of Arches.—Privy Councillor.—Private Secretary to the King.—Penuriousness.—Peculiar circumstances of his appointment to the Primacy.—Consecration.—Enthronization privately conducted.—The Black Death.—Mortality.—Effect of the Plague.—Flagellants.—Tolerant spirit of Islip.—Compromise between the two Metropolitans about carrying the Cross.—Moral effects of the great mortality.—The Jubilee.—Its fatal consequences.—English prohibited from attending.—Increasing hostility of Rome on the part of the Commons.—Attempt to restrict the Clergy and clerical duties.—Sudden increase of Clergy.—Islip's Constitutions.—His writings.—Provincial visitation.—Controversy with the Bishop of Lincoln.—Contradictory Papal Bulls.—Difficulties at Oxford.—Provisions.—Statutes of Provisors.—Statute of Præmunire.—Violation of the Statutes by the King and Prince of Wales.—Case of Bishop Stretton.—Controversy with the Black Prince.—Case of Bishop Lyde.—Order of the Garter.—Ceremonial on the release of King John.—Islip's benefactions.—Founds Canterbury Hall.—Statutes of the same.—Paralytic seizure.—Died at Mayfield.

THE life of Archbishop Bradwardine was the history of the man. During his episcopate of a few weeks' duration, nothing was done or attempted of public

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* Authorities. I refer generally to Birchington, and the Dies Obituales Archiepisc. Cantuar. It is difficult to obtain authorities for the biographies of this period. The Chronicle under the name of Walsingham, and the Chronicles of Murimuth, Capgrave, &c., give little more than the accessions to the primacy and the dates of their occurrence.

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importance. The statement is reversed when our subject relates to Simon Islip. The public events which, during his tenure of office, took place were of vast importance, in regard to ecclesiastical as well as civil affairs; but of his personal history little is known, except what relates to his gigantic stature. If the stone coffin or cyst which was discovered in Canterbury Cathedral in 1787, in the immediate vicinity of his tomb, contained, as is conjectured, the body of Simon Islip, he must have been a man considerably above six feet in height.*

It is said that he was born at Islip in Oxfordshire, but the only evidence of the fact is his name.† According to Wood, he was one of the many great men who, at this period, added to the fame of Merton College.

He had for his patrons two distinguished statesmen and lawyers, Archbishop Stratford, with whom the reader is acquainted, and Henry Burghersh, Bishop of Lincoln.‡ Burghersh had been appointed High Treasurer soon after

* On raising the pavement in Canterbury Cathedral, a stone coffin was found in 1787, at a small distance from the tomb of Archbishop Islip. The lid, it is supposed, was stolen at the Reformation. It fitted to the shape of the human body. The breadth at the shoulders was two feet; the length from shoulder to foot, six feet and three inches; from out to out, six feet ten inches. Stone coffins were not in general use at this period; but an old fashion may have been observed at the interment of an archbishop. The bones had been disturbed; the skull was broken, and lay on the breast; the teeth were perfect.

† Hasted's *Canterbury*, 327.

‡ Henry Burghersh was the son of Robert, Lord Burghersh, and brother to Bartholomew, Lord Burghersh. He was educated at Oxford. He was appointed Lord Treasurer in 1327, and Lord Chancellor in 1328. In 1329 he accompanied the king to France, and was frequently employed throughout the reign of Edward III. in a diplomatic capacity. He had a stall in York Cathedral, and in his thirtieth year, July 20, 1320, he was consecrated to the see of Lincoln. He died at Ghent, December 4, 1340. *Ang. Sac.* i. 21, 30, 374, 766.

the accession of Edward III., and was Lord High Chancellor in 1328. By Bishop Burghersh, Simon Islip was collated to the archdeaconry of Stow in 1332, and to a canonry of his cathedral of Lincoln in 1338. In the year before, 1337, he had been appointed vicar-general of the diocese. He was also a canon of St. Paul's.

Simon Islip, however, though a pluralist to this extent, devoted himself, not to the discharge of his spiritual duties, but to the service of his country, as a lawyer. By Archbishop Stratford he was made dean of the Arches—an important office, which we have seen to be held frequently, as the first step in the ascent to high honours in Church and State. Through the same interest he was brought under the notice of the king, and became a member of the privy council. He rose rapidly in the royal favour. He was appointed private secretary to Edward, and had the custody of the privy seal.* At the time of Bradwardine's death, he was one of "the king's clerks."

Although Islip was a man very different from Bradwardine, the one being inclined to the contemplative, and the other to the active life, still there was much in common between them. They both attempted to unite the two classes of duty, though, in doing so, the inclination, sacrificed by the one party, differed from that, which was made to lead to a sense of what was right, by the other. Both were men of piety, but Islip failed in that consideration for the feelings of others, which was a characteristic of Bradwardine, who, though a strict disciplinarian, was universally beloved. The misery which ensued from the extravagance of Edward III. in early life, and the difficulties in which the keeper of his privy

* "Portitor Sigilli privati Regis et ejus Secretarius, homo quidem Deo devotus et hominibus graciosus," Ang. Sac. i. 43. "Magister Simon de Islip custos sigilli Regis secreti," Fœdera, ad an. 1347.

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purse was involved, induced Islip, to form habits of very strict economy; and this, when he became archbishop, was regarded as penuriousness. His unwillingness to give was accompanied by an eagerness to appropriate to his own use, any funds, upon which he could establish a claim.

His appointment to the see of Canterbury is memorable as an era. We have seen how gradually the popes had been encroaching on the rights of the chapters and of the king; and how, in the disputes between chapters and kings, especially when kings had private ends to serve, the popes found opportunity to establish precedents of interference, which, when once established, it became difficult to set aside. No pope had ever been a greater aggressor, in this respect, than Clement VI. When a remonstrance was addressed to him, for assuming rights and powers his predecessors had never enforced, or perhaps claimed, his answer was, that, if this were the case, he could only say, that his predecessors knew not how to act as pope. In the appointment of Ufford, Clement introduced into the bull of confirmation, the expression "providet ei Johanni;" in the appointment of Bradwardine, the appointment was stated to be "per Electionem Canonicam et per provisionem Apostolicam successit." But now the bull, which appointed Simon Islip assumed a power hitherto unheard of, and which, probably, would have been immediately resented if persons had troubled themselves to read or to criticise public documents. The archbishop was appointed "per provisionem Apostolicam *spreta electione facta de eo.*" *

The statute of Provisors, to which we shall have occasion to refer presently, passed in 1351; and, no doubt, when it was under discussion, attention was called to this bull; for we find, that from this period a system was

* Reg. Lambeth.

devised, which, after the condemnation of the papal proceedings by the law of the land, saved the dignity of all parties in episcopal appointments. The same forms being retained which had been in use since the reign of John, the reality of the appointment returned to the king. When a see became vacant, the king, together with the *congé d'élire*, notified to the chapter what person he would accept; in other words, he nominated the new bishop. He also, by letter to the pope requested, that the same person might be appointed by provision. With equal subserviency, the chapters elected and the pope provided.*

The consecration of Islip took place at St. Paul's, on the 20th of December, 1349. He received the pall from the hands of the Bishop of Winchester, at Esher, on the 25th of March, 1350. His enthronization, at Canterbury, was conducted in a private and inexpensive manner. This was, in after times, adduced as a proof of his niggardly disposition. But the charitable is probably the truer supposition; namely, that he would not incur the responsibility of bringing together a vast concourse of people at a time, when the Black Death was devastating the country. The noble and wealthy, moreover, secluded themselves to avoid contagion; and therefore, even if Islip had wished it, it would have been impossible to conduct the ceremonial with the magnificence usual on such occasions.

Of the first appearance of the Black Death, and of the symptoms, which induce modern physicians to pronounce

* By a concordat in 1374, the pope undertook to refrain from reservations, and the king undertook to make no more appointments by writ of *Quare impedit*. But the effect of this was defeated, one way or other, and the general issue was as stated above. The pope, however, still reserved his power with respect to translations, notwithstanding the remonstrances of the civil authorities. Translations, hitherto rare, henceforth became frequent.

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it to have been the Bubo-plague of the East, in its most virulent form, we have already spoken in the life of Bradwardine. So rapid and fatal was its progress, that after making due allowance for the miscalculation of chroniclers, who had no official census, by which to test or to check their statements; Dr. Babington does not hesitate, to assume, that one quarter, at least, of the population of the old world was swept away, in the short space of four years, and that some countries, England among the rest, lost more than double that proportion of their inhabitants.* Hecker states, that it may be assumed, without exaggeration, that Europe lost, during the Black Death, 25,000,000 of inhabitants.†

In London, it is said, that the deaths amounted to one hundred thousand. In one burial ground, fifty thousand corpses were arranged, in layers, in large pits.‡

* Pref. to Hecker, xxii.

† Hecker, 29.

‡ This number is given in an inscription, still existing in the time of Stow. Ralph Stratford, Bishop of London, in 1348, purchased a piece of ground called No Man's Land, which he set apart and consecrated for the burial of the dead. There was on it a mortuary chapel, which in Stow's time had been converted into a residence; the cemetery being "a fair garden," though retaining the name of Pardon Churchyard. And at the same time, Sir Walter Manny bought some land adjoining to No Man's Land, near St. John's Street, called Spittle Croft without the Bars, West Smithfield. This was also consecrated by the Bishop of London. There was a stone cross on the spot, on which Stow read the following inscription: "Regnante magna pestilentia consecratum fuit hoc cœmeterium, in quo et intra septa præsentis Monasterii sepulta fuerunt mortuorum corpora plusquam quinquaginta millia, præter alia multa abhinc usque ad præsens. Quorum animabus propitiatur Deus. Amen." Here he intended, at first, to found a college for a Dean and twelve secular priests; but changing his mind, he established, in 1370, a Carthusian priory. At the dissolution of monasteries the land was sold; and, at length, passed into the hands of Thomas Sutton, the munificent founder of the noble establishment which is now known as the Charterhouse in London. New-

The character of the visitation becomes more awful, when we learn, that it did its terrible work in England, within the compass of one year. It lingered longer on the Continent, especially in Italy. But although the courts of justice and parliament were closed for some time longer, yet in England, men returned to their ordinary modes of life soon after the expiration of the first year. This may, in part, be attributable to the circumstance, that, while in many parts of the Continent, there had been a scarcity of food, in England there was a superabundance of all the necessaries of life. The murrain among the cattle did not precede, it followed, the plague.

The effect of the pestilence was such, as is always the case. Nominal Christians, released from all moral restraint, became desperately wicked; an awful example of what human nature is, apart from law and grace. All social and moral bonds were loosed. On the other hand, wherever there was faith, though it were but as a grain of mustard seed, it was soon developed into godliness of living, producing fruit according to the nature of the soil on which it was sown. Transgressors became penitents, and as the manner of the age was, they subjected themselves to all manner of torture; the weak-minded became enthusiasts; sober-minded Christians proved themselves, by their conduct, to be saints.

The Black Death gave rise to a peculiar form of devotion; and an order of enthusiasts was created, who assumed the title of Flagellants or whippers. They made their first appearance in Hungary, but became an organized society

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court, i. 579; Barnes, 436; Pennant, 203. The difficulty of providing for the interment of the dead was universal. At Avignon, the pope consecrated the Rhone, that the dead bodies might be thrown into the river without delay; Torfæus, as cited in Hecker, 24. In many places it was rumoured, that plague patients were buried alive, as may sometimes happen through senseless alarm and indecent haste. Ibid.

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at Pirna. We thence trace one detachment of them to Magdeburg, which town they entered on the 17th of April, 1349; and another to Würzburg, on the second of May. In June, two hundred of them appeared at Spire. In Denmark and Holland they had many followers. A detachment landed in England, in the spring of 1350. Although they were received by the people with sympathy, admiration, and respect, it does not appear that to their system many converts were made in this country. They proceeded by slow journeys to the metropolis. They entered every town and village in solemn procession, and preached to the people. Although they were attended by large crowds, they caused neither tumult nor confusion.

On arriving in London, they formed a procession to St. Paul's. They afterwards visited the other churches. They were robed in sombre garments. On their breasts and on their backs, as well as upon their caps, red crosses were displayed. They had, each in his hand, a three-corded whip, through the knotted thongs of which, iron nails were seen. Their eyes were fixed upon the ground; they exhibited every token of contrition and mourning. Arrived at St. Paul's, the leader took his station before the west door, and announced their mission. A letter had been found, on the altar of St. Peter's Church at Jerusalem. It purported to have been written by our Lord Himself. It had been laid upon the altar by an angel from heaven. The letter was produced and read. It affirmed, that the wrath of God had been provoked by the increasing sins of Christendom, and that its effects could only be averted by the intercession of the Virgin Mary and of the missionary angel himself. Their service consisted, wherever a mission was opened, of a flagellant procession, which was to last for thirty-four days, each day corresponding with the thirty-four years of our Lord's life upon earth.

When the mission had been thus opened, a circle was formed, and each flagellant taking off his shoes and upper garment, fell prostrate upon the earth. After a solemn pause for prayer, the leader rose, and, with the iron-spiked whip, he administered the lash upon the bare back of the brother who, stretched on the ground, was his nearest neighbour. The lashed man would then arise, and, with the dreadful instrument, he did to his next neighbour, as he had been done by, and so all received neighbour's fare. When the scourging was completed, each man in the circle was on his legs. From that circle, two were then detached, and they, going round it, lashed each other on the back, till the blood gushed out. They returned to their place in the circle, and two others succeeded them, until all had, in turn, been both lashers and lashed. Their enthusiasm was such as to make them exult in the pain; and that enthusiasm was sustained, by the fervour with which they sang, in concert, hymns new, emotional and popular, of which we give the following verse as a specimen:—

Through love of man the Saviour came,
Through love of man He died;
He suffered want, reproach, and shame,
Was scourged and crucified.
Oh think, then, on thy Saviour's name,
And lash, and lash, and lash again.*

At the conclusion of the hymn, there was another pause. They fell to the ground. After a while, they rose to their knees, smiting their breasts. Then, once more on their feet, they recommenced the scourging; they lashed, and lashed, and lashed again. The scourging over, a collection was taken from the bystanders, which was carried to the common fund.

* L'Evesque, 531.

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How such enthusiasts would be treated in the nineteenth century, we can readily surmise from what occurred, a few years ago, at St. George's in the East. In the great council of the pope, there were, as in all councils, weak and intolerant men, who care nothing about religion, so far as they are themselves concerned; and they declared, that such proceedings were a disgrace to the Church, and they called upon government to interfere. The pope, as is often the case with governors, yielded to the pressure from without, and sided with the fierce and powerful against the weak and unresisting. He denounced the flagellants in a bull, and hearing, that they intended to visit England, wrote a letter to the king, calling upon him to repel them from his shores, on their arrival; or to repress them, if they had already appeared. A French pope, however, dating his bull and letter from Avignon, was not, at this time, likely to receive a favourable hearing in England. The archbishop made inquiry as to the principles and proceedings of the flagellants. He found, that they were an organized society, with strict rules, which were strictly observed. They were excluded from begging; each flagellant being allowed a certain sum for his maintenance, equivalent to about fourpence a day. They took an oath of obedience to their order. On joining the society, a married man was required to produce a permission to do so from his wife, for union with the flagellants implied a conjugal divorce. He then confessed his sins, and publicly forgave all his enemies. They numbered among them ecclesiastics and nobles, especially from Zealand, Holland, and Hainault, and some women.

The temper of Archbishop Islip was tolerant, and he clearly distinguished between enthusiasm and fanaticism. However wild or extravagant an enthusiast may be, he is comparatively harmless, and is worthy of respect. If we add malignity, then enthusiasm becomes fanaticism. When

the malignity remains, and the enthusiasm has worn itself out; when the zeal, which is harmless if not a virtue, so long as we seek to establish what we believe to be true; evaporates into hostility to what we believe to be wrong, and displays a hatred to the erroneous; when men are united by a common hatred, not by a common love—then they are *de jure*, if not *de facto*, persecutors, whether in Rome or in England; whether lighting faggots in Smithfield, or merely shooting out, in their impotence, those bitter words, which are compared to poisoned arrows.

Archbishop Islip left the devout enthusiasts to their own devices. Failing to be martyrs when prepared for martyrdom, the enthusiasts themselves ceased to be thought of, except by a few, who, admiring their unquestionable earnestness, became themselves more earnest, though they did not admit the necessity of writhing under self-imposed tortures.*

Of the tolerant spirit of the archbishop another instance may be adduced. Elizabeth, the wife of John, Earl of Kent, had, on the death of her husband, assumed the monastic habit, and she lived, for several years, as a nun. But, falling in love with a man in every respect her equal, Eustace Abricourt, she broke her monastic vow, and was privately married. The scandal, in religious circles, was great, and the case was brought officially before the archbishop. He refused to ignore or nullify the marriage. He simply enjoined a penance on either party, and then he permitted them to live together as man and wife.

To the conciliatory disposition of Archbishop Islip, as well as to a change in the spirit of the age, we may attribute the settlement, which now took place, on a subject

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* The materials for the statements given above are found in Albert Argentinens, Chron. 149; Ordoric Rainald, 1349, § 18. Mosheim, Edit. Stubbs, ii. 224, compared with Walsingham, 169; Murimuth, 103; Stow, 216.

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to which our attention has been frequently called—the rights of the northern metropolitan, in the province of Canterbury. When power was conferred by ceremonial acts, and an act of ceremony was an assumption of power, we can understand why the Archbishop of York should contend for his right, as a primate of England, to have his cross—the emblem of his office as a metropolitan—carried before him, in every part of this island; and we can also understand, why the Archbishop of Canterbury, as primate of all England, should resent an act, which seemed to place his brother of York on an equality with himself.

In the fourteenth century, however, the dignitaries of the Church were beginning to perceive that, instead of contending for power among themselves, sound policy dictated their union, to preserve the privileges they already possessed, and upon which an attack was threatened. It was now clearly understood, that when, in the reign of Henry III., the title of primate of all England was conceded to the see of Canterbury, the Archbishop of York being only primate of England, certain rights were supposed to appertain to a primate of all England, which the Archbishop of York did not possess in the province of Canterbury. This point conceded, the dispute about carrying the cross, became nearly what modern historians too often regard it from the beginning—a mere dispute about a ceremony. As such rights of the respective primates could, at this time, be submitted to arbitration, Archbishop Islip and Archbishop Thoresby* selected the king as the arbitrator, and

* John Thoresby was the son of Hugh Thoresby and Isabel daughter of Sir Thomas le Grose of Suffolk. He was born at Thoresby in Wensleydale. He was of the same family as Ralph Thoresby, to whom I was enabled, through the liberality of the late Mr. William Gott, to erect a monument in Leeds parish church, as one of the most eminent antiquarians of his age, an honour to a town which has pro-

the king's arbitration was afterwards confirmed by the pope. Both Islip and Thoresby were lawyers and statesmen; they were both of them indebted to the king for their preferments in Church and State; of the sound judgment and impartiality of Edward they were each of them convinced. Neither of them was a narrow-minded ecclesiastic, though both of them, when they had become metropolitans, saw the necessity of withdrawing themselves from affairs of state, as far as their gratitude and duty to the king would permit, and of devoting themselves to their episcopal duties. Thoresby was, moreover, a personal friend of Clement VI. The two metropolitans

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duced many eminent men. John Thoresby was educated at Oxford. He was patronized by Thomas, Earl of Lancaster, and was included in a commission sent by Edward III. to procure the canonization of that unfortunate nobleman. He became a clerk in Chancery. While practising here he was served in open court with a monition to appear before the pope on some appeal, when the papal messengers were violently committed to prison. He became Master of the Rolls in 1341. In 1345 he was made Keeper of the Privy Seal. In 1349, being then a bishop, he was appointed Chancellor. In 1355 he was appointed one of the custodes of the kingdom, when King Edward renewed his invasion of France. This distinguished lawyer, towards the close of his life, became as much distinguished as an ecclesiastic. So early as 1320, he held the living of Bramwith in Yorkshire, the duties of which he could not perform, as he was not in full orders, but only an acolyte. He was incumbent of Honington in Warwickshire. He was rector of Elwick in Durham, and of Oundle in Northamptonshire. He had a stall in Southwell, York, and Lincoln, and was Archdeacon of London. He was consecrated Bishop of St. David's on the 23rd of September, 1347. He was translated to Worcester in 1350, and again to York in 1373. Having served the office of chancellor for seven years, during four of which he had been archbishop, he desired to retire from public life. The king, "benevole et grantanter," acceded to his request, and, for the last seventeen years of his life, he devoted himself to his episcopal functions, and became a munificent benefactor to York Minster. He laid the foundation of the Retro-chapel and the Lady Chapel. He died at Bishopthorpe, 6th Nov. 1373, and was buried at York.

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met at the palace at Westminster, on the 20th of April, 1353, prepared to abide by the adjudication of the king.* Archbishop Islip consented, that the Archbishop of York should be permitted to bear his cross erect within the province of Canterbury, by which his rank as a primate and metropolitan was asserted. Archbishop Thoresby consented to bind his successors, within the space of two months after their confirmation, to present, at the shrine of St. Thomas of Canterbury, an image in gold of an archbishop holding his cross; or else some jewel of equal value, that value being fixed at forty pounds. This was to be sent in state by the hands of their official, chancellor, auditor, or some doctor of law, or knight.† Thus was acknowledged an undefined deference to the see of Canterbury. In parliaments and councils, a seat on the right hand of the king was assigned to the Archbishop of Canterbury; a seat on the left to the Archbishop of York, both with their cross erect. In a procession, they were to walk abreast, each having his cross borne. When, from the narrowness of the way, this was impossible, the precedence was to be given to the Archbishop of Canterbury.

To the immediate consequences of "the great mortality of 1349," such as lie upon the surface, we have alluded.

* Ang. Sac. i. 17.

† Wilkins, iii. 31, 54; Ang. Sac. i. 74, 75, conf. 77. That the arrangement was permanent appears from the fact that William Booth, Archbishop of York in 1452, sent this oblation to Canterbury by the hands of a knight. It is probable that the arrangement was not quite satisfactory to Thoresby, as the king seems to have obtained his consent by bearing a portion of the expense. In the Issue Rolls of the Exchequer, 161, appears the following entry: "28 Edw. III. Oct. 9. To Richard de Grymesby, goldsmith in the Tower of London, in money paid to him for certain images made in honor of St. Thomas the Martyr, and delivered to the Revd. Father the Abp. of York, of the king's gift for his oblation at Canterbury, &c., £7 8s. 5d."

By those who look below the surface, who from causes pass on to their consequences, or who trace events back to their causes, this moral and physical convulsion will be regarded as the commencement of a new era. They will see, in the Black Death, the way prepared for the present state of European society. It set men a-thinking. That there were thoughtful men in Europe before this is proved by the fact that such books as the "De Causa Dei" could find readers, and obtain the attention of students. But the readers were found only in the schools, universities, and monasteries. From this time, the mind was universally awakened. Men are naturally logicians, when they permit themselves to think. There may be an absence of information, or information may be incorrect, and consequently there may be often a mistake in the major premise; but when once we agree as to our facts, the difference between the learned man, and the acute, though illiterate mind, is very slight. The false statements made, in the low press of the nineteenth century, are sometimes astonishing; but ignorance does not vitiate the powers of ratiocination, if the premises be granted. There were from this time, reasoners among men, whose superstitious veneration for things established had not hitherto permitted them to exercise their minds. To meet the demand in the mental market, Wyclif and the Lollards soon made their appearance. The cast of thought was revolutionary, but it was tempered by a spirit of reverence for ancient superstitions, which prevented any sudden revolution or violent change in the external aspect of affairs.

When death was staring men in the face, the question was naturally asked—What are we to do to avert the Divine wrath? Enthusiasts, such as the flagellants, arose to give answer to the question. An answer so stern, as that given by their lacerated backs, was accepted by only a few. That answer was very properly rejected by the

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papal authorities; but another arose—What does the pope himself advise us to do?

The conduct of a man so sagacious as Clement VI. undoubtedly was, when he was left to act on his own judgment, is unaccountable. Whether he really believed, that the plague would be averted by a pilgrimage to Rome, made by the Western Church, each national church being represented by the devotion of voluntary pilgrims; or whether, the fiftieth year of the fourteenth century having arrived, the non-resident pope had not courage to withhold from the people of Rome the golden harvest which for half-a-century they had been anticipating; Clement, in the midst of the great epidemic, proclaimed the Jubilee. Indulgences were granted to all who should visit devoutly the churches of St. Peter and St. Paul at Rome, and that of St. John Lateran. The result was what we should expect to find it. The concourse of such large bodies of people occasioned a new eruption of the plague; and it was asserted, probably without much exaggeration, that not more, than one pilgrim out of a hundred, returned to his home. The Minorites, from their obedience to the will of the pope, conjoined with that ignorance which now prevailed among the great mass of the brethren, were among the foremost of the pilgrims; and of the Minorites 30,000 died in Italy. The very report, that the great bell of St. Peter's Church at Rome was thrown down in a thunder-storm and almost melted; and that the deaths had been so numerous, that the authorities were forbidden to make any return on the subject, all combined to induce men to conclude, that the Church, as it existed, or as it was represented by the pope, was not infallible.

The deeper impression was made on the English mind by the fact, that an order of government was issued, to prohibit any of the king's subjects from embarking on

the pilgrimage.* We are not to suppose, that the views of our government were more enlightened, than those of our neighbours; but there was no inclination to replenish the coffers of a French pope by English gold; and both money and men, it was said, could be more profitably employed at home. The pope remonstrated; but his remonstrances were made in vain. The inference to be drawn from the fact, that the plague ceased in England, and was renewed, with increased force, in Italy, had its logical effect in this country.

If the Church was not infallible, it needed a guide by which to test its judgments. If so, where was that authority to be found? Wiclif answered, by translating the Bible.

From this time, hostility to Rome was the predominant feeling among the commons of England; and from this time, we may date the inclination, increasing, more or less gradually, to the period of the Reformation, to make common cause with Rome on the part of a large portion of the superior clergy; although this did not appear, so long as the popes remained at Avignon. From this time, we may also date the determination of the laity, to compel the clergy to retire from politics, and to devote themselves to the immediate duties of their sacred callings. Hitherto the two professions, that of the clergyman and that of the lawyer, had been one. It was a rare exception to the general rule, to find a lawyer or a statesman, who was not in holy orders. The conduct of the clergy in the various dioceses, when the terrors of the pestilence began to subside, was such as to create the greatest indignation among the people. They not only encouraged litigation, but made themselves peculiarly offensive in visiting, with legal penalties, the irregularities which, while the plague lasted, were unavoidable. The outcry

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* Knyghton, 2601.

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against the clerical lawyers was such as to become fanatical. It led, as we shall hereafter have to show, to consequences most disastrous. We may, in short, date, from this time the separation between the legal and clerical professions. The separation did not take place at once, but the feeling began now to prevail, that the duties of a clergyman were, except under special circumstances, incompatible with those of a lawyer.

The clergy who, like Chaucer's parish priest, had confined themselves to their spiritual functions, did their duty manfully. We may come to this conclusion from observing, that the number of the clergy who fell victims to the pestilence was very large. Among the upper classes of society, or among those who, having warm clothing, fuel for fire, and a sufficiency of wholesome food, could avoid contagion, the plague made little havoc. Although, therefore, many of the clergy were very poor, yet when we find the mortality among them out of proportion, great, we must conclude that, in administering the last consolations of religion to the sick, they did not fear to expose themselves to contagion. But, owing to the secular training of a large portion of the clergy, there was not a sufficient number of devoted and intelligent parish priests to meet the demand. There was, in point of fact, so great a scarcity of clergymen, that the bishops were obliged to admit into holy orders, almost any one who would undertake any portion of ministerial or pastoral duty. Vast numbers of laymen, in the first impulses of religious enthusiasm, having lost their wives, crowded into holy orders.* They were many of them, we are told, entirely ignorant, but they made up by piety, and by sympathy with the poor, for their want of learning. Some, when the first fervours of religion wore off, relapsed into evil habits, and consequently it became

* Stow's Survey, 86 and 252.

necessary to put in force all the discipline of the Church; and even to make new regulations and laws. But, however that may have been, a new body of men had now been called into existence: a body prepared to receive, in due time, the teaching of Wiclif and his followers. These were men of zeal and piety; they were not attached to the teaching of schools, and were generally contemned by the school-men. They had sufficient learning to be able to read, what Wiclif and his followers wrote in the vernacular language. They were not attached to the Church by worldly interests, for they were not qualified to rise to the higher preferments. They participated with the commonalty in their hatred of the pope. In the earnestness, with which they discharged their duties, they occupied the position in society, which had been formerly occupied by the Franciscans; and this, at a time, when the practice of the mendicants had so degenerated, as to make them the laughing-stock of the people; and to excite the indignation of pious and earnest men, such as Archbishop Fitzralph and John Wiclif.

At such a period, Simon Islip was called to the primacy of our Church. He understood, at once, the difficulties of his situation, and determined to devote all the powers of his mind to the duties of his station. His was evidently, though a stern, yet an honest and upright mind; but although he had discernment to perceive the existence of the disease, he did not possess the genius to prescribe the remedy. He could not go to the root of the evil, or penetrate the depth and character of the disorder. The idea never crossed his mind, that there was anything in the doctrine of the Church requiring amendment; he had regard exclusively to its faulty administration. That the salt had lost its savour, and needed to be replenished, was to be the discovery of a later generation. He looked upon things with the eye of a lawyer and

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statesman ; and the late secretary of state and keeper of the privy seal prepared to set his house in order, with the full conviction, that there must be a good understanding between himself and the king.

As an ecclesiastical legislator, Islip is entitled to hold a high place. He united with a conservative spirit a disposition, which would encourage, while, at the same time, it regulated progress. He published certain constitutions in 1351, in 1359, and again in 1362. Although we shall have to return to the consideration of his primary visitation, it may be expedient to consider these together. These constitutions resemble, to some extent, a modern episcopal charge, with one important difference. A modern bishop can only state what the law is, and how far he is prepared to carry out its enactments. An archbishop, in the fourteenth century, could himself, while stating the law, make such additions to it as might meet a present exigence. He was a lawgiver within certain limits. He might make a law, so far as it did not infringe a statute, or violate the principles of the common law of the Christian Church.

Complaint was made of the inadequacy of the punishment inflicted upon delinquent clergy, and upon that large body of offenders who claimed benefit of clergy.

It was also said, that the judges, in the Spiritual Courts, were too lenient in the punishments, which they assigned ; it was added, that the prisons, to which offenders were committed, were rendered too comfortable. The contrast between them and the miserable dungeons of the common gaols was indeed remarkable ; and perhaps, in these days, we should have recommended a reform in the direction opposite to that which was proposed. The archbishop, however, informs the clergy,* that he and his

* "Literæ Archiepiscopi Cant. pro clericis incarceratis ad asperam pœnam ponendis." Ex Reg. Islip. fol. 54. a, collat. cum MS. Coll.

suffragans, in a late parliament, had taken the whole subject into their serious consideration. They were fearful, lest the abuse of ecclesiastical liberty, which existed to such an extent, as to cause quite a commotion in the country, should turn to the prejudice of clerical privilege; and they had therefore come to a resolution, that delinquent clerks should, for the future, be closely imprisoned, according to the quality of the persons and the heinousness of the crimes. Regulations were made, that prisoners should, on every Wednesday, Friday, and Sabbath-day (Saturday), be only allowed, once a day, the bread and water of affliction; on other days, bread and small beer; on the Lord's day (*Sunday*, as distinguished from the *Sabbath*), bread, beer, and pulse, for the honour and eminence of that day.

In these regulations and arrangements, there is certainly no tendency to luxurious living.

As may be seen from other regulations, Islip was a strict observer of the Lord's day, which was not, until later and for party purposes, called the Sabbath.

The constitution of 1359, was issued at a time, when King Edward III. set sail for France, with eleven hundred transports, conveying the most numerous and best appointed army, that had sailed from the coast of England for more than a century. A royal writ was addressed to the archbishop and his suffragans, "de orando pro rege et regno." The constitution was a mandate of the primate, addressed to "our venerable brother, the Lord Michael, by the grace of God, Bishop of London," to be by him transmitted, with all possible speed, to "our fellow bishops and suffragans of Canterbury;" by which they were required to enjoin their subjects to pray for the success of the expedition. An indulgence of fourteen days was

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B. M. Magdal. Oxon. n. 185. Spelman, ii. 597. Lynd. App. 54. Wilkins, iii. 13.

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granted to all, who should obey the injunction. No particular form of prayer was published. The archbishop left it to each man, in his private devotions, offered in the Church, to perform the duty, in any manner convenient to himself. He states, that although it is provided, by the sanction of the laws of the land, as well as the canons of the Church, that all Lord's days should be religiously observed from eve to eve; yet, to his heart's grief, he was informed, that a detestable, yea, damnable perverseness existed on the subject; insomuch that, in many places, markets were held, not only for victuals, but for other negotiations—which, he says, can scarcely be without frauds and deceits; that unlawful meetings of men, who neglected their churches, various tumults, and other occasions of evil, took place; that revels, drunkenness, and many other dishonest doings were practised; that thence, proceeded quarrels and scolds, threats and blows, and sometimes murder; that these iniquities prevailed to such an extent, that the main body of the people flocked to these markets—by which the Devil's power was increased. He was told, that in the holy churches—where the God of Peace is to be sought, and where His anger is appeased—the worship of God and of the saints had, too often and in too many places, ceased through the absence of the faithful; that the sacred mysteries were contemned; that the mutual interchange of support in prayer was withdrawn. All this tended, he observed, to the great decay of reverence towards God and His Church, the grievous peril of souls, and the manifest scandal and contempt of Christianity. Wherefore he strictly commanded his brother of London, and, through him, his other suffragans, to take effectual measures for correcting this abuse.*

* "Mandatum Archiepiscopi Cantuar. de exorando pro rege, et regno et de observando dies dominicos." Ex Reg. Islip. fol. 150, b.—Spelman, ii. 599. Lynd. App. 55. Wilkins, iii. 42.

Another constitution of Islip, issued in 1362, reveals an extraordinary state of things, and the deplorable condition of the Church. According to Lyndwood, no clergyman could, at this time, be required to resign a lucrative secular employment, in order that he might undertake any spiritual duty, unless the income, accruing from his ecclesiastical preferment, was equivalent to the salary he was receiving for the service, in which he happened to be engaged; even though that service had reference only to the things of this world, and was of a temporary nature. This view of things was in perfect accordance with those principles, to which especial reference has been made in the introductory chapter. A clergyman felt himself at liberty to serve God and the king, the Church and the state, in any office whatsoever, to which he might be called by the providence of God, acting through the will of the sovereign. But Islip, who himself had acted on this principle, perceived the injury done to the cause of religion, and, without repudiating the principle, declared that it had been abused. He stated—"that priests, now-a-days, through covetousness or love of ease, not content with reasonable salaries, demanded and received excessive pay for their labour."

The lawyers and statesmen being ordained, accepted preferments instead of salaries, or as an addition to salaries inadequate to sustain them in that magnificence, of which in those times much account was taken. To the property, with which they were thus invested, certain duties were attached. These duties they would perform, whenever they fell into disgrace at court, and on certain other occasions, when, wearied of the world, they passed into retirement. But when they were actively employed by the state, they engaged the inferior clergy to perform the duties, which pertained to the parochial and pastoral office. Many, however, of the inferior clergy had found, as we have seen, a more lucrative employment, by acting

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as lawyers in the spiritual courts; or, if they were contented with a moderate income, by the performance of annualia, or daily masses said for a year in behalf of certain persons or families.* These persons received the payment made for performance of these routine duties; and, contented therewith, refused to engage in pastoral work, unless the beneficed clergy provided them with an amount of salary, which was, by those who were called to pay, regarded as excessive. There was on the part of the inferior clergy, what we may call a strike. The consequence was, as Islip states, that many parish churches and chapels remained, without any clergyman, invested with a cure of souls, to officiate. Instead of seeking to remedy the evil, by attacking the non-resident beneficiaries, Islip aims his censures against, not the non-resident rectors, but the unbeneficed clergy. He not only resists their demand for an increase of salary, but accuses them, where their salaries happened, in any case, to be high, of misapplying their comparative wealth. "They discharged their intemperance in vomit and lust, they grew bold, and drowned themselves in the abyss of vice, to the great scandal of ecclesiastics and the evil example of laymen." He ordained, therefore, that any clergyman, who had the privilege of saying private masses or annualia, in any particular church, might be compelled by his diocesan, or by any ordinary judge, competent in this respect, to perform the pastoral work of the parish at a moderate salary; or else, that he should be deprived of his right to officiate in the church at all. The primate limits the salary of priests, who celebrated annuals without cure of souls, to five marks a year. He limited the salary of those, who were willing to undertake a cure of souls,

* Annualia, or annals, were masses said, every day, for a year, on behalf of a deceased person; trentals were said, every day, for thirty days; triennials, every day, for three years.

together with the annualia, to six marks a year, with powers for the diocesan to increase the salary, if the parish be large.*

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Islip legislated, as an aristocrat, in favour of the aristocratic portion of the Church. All that he felt called upon to do, was to see, that the work was properly performed. By whom the work was done, this was no consideration with him. The parochial clergy were not regularly employed in preaching. They had too often permitted the duty of preaching to devolve upon the mendicants. The demand was not, therefore, at that time, as it would be with us, for parish priests, who could preach. That could be done by the Dominicans. What was required was respectable clergymen, to do the routine duty in the Church, and to administer the consolations of religion to the sick, the sorrowing, and the dying. The proper course to have been pursued would have been, to compel the non-resident beneficiaries to provide larger salaries for their deputies; but legislators are generally on the side of the strong against the weak. Islip legislated on this subject very much in the same spirit as the present parliament would legislate for strikes. It was assumed that the weaker party must be wrong.

These constitutions, evidently composed by the archbishop himself, present him to us favourably in the character of an author. His contemporary, John Thoresby, Archbishop of York, was admired for the elegance of his latinity. Such praise we cannot claim for Archbishop Islip. It can seldom, indeed, be applied to those who employed the latin language as if it were a living language; and, consequently, felt themselves at liberty to coin words, for the expression of ideas, to which the Romans, before

* *Constitutio venerabilis domini Simonis Islip Cantuar. Archiepiscopi, edita apud Lambethe, A.D. 1362. Ex MS. Cott. Otho, 15, fol. 135. Wilkins, iii. 50. Lynd. App. 56. Lyndwood, 238. Spelman, ii. 610.*

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their conversion, were strangers. But of Islip it may be said, that he wrote as a man who meant what he said; and who intended that there should be no doubt of his meaning. One of the archbishop's writings had a very large circulation, if we may judge from the number of copies still existing in manuscript.

The extravagance and reckless expenditure of Edward III., of which we have had instances in the life of Archbishop Stratford, continued throughout his reign, and were from time to time bringing successive administrations into difficulties. Upon this subject, and upon the abuses of the royal court and household, the archbishop addressed a remonstrance to the king, beginning "Domine mi Rex utinam saperes."* The boldness and the sound reasoning of the archbishop procured for him the admiration of his contemporaries; and the work is sufficient to show that, like an honest man, a true patriot, and a considerate churchman, he did not shrink from his duty, however unpleasant that duty might be. If, as we have seen, he endeavoured to compel the humblest of those who were placed under his jurisdiction to the performance of their duty, he was quite as ready to address his remonstrances to the chief magistrate of the realm.

Archbishop Islip, like a practical man, determined to make himself, by personal inspection, thoroughly acquainted with the condition of the clergy and the state of the Church. Immediately after his enthronization, notwithstanding the condition of the country, he commenced a provincial visitation, which was continued from time to time.

* There is a beautiful little MS., perhaps contemporary, of Islip's letter, in the Bodleian Library, under the title of "Speculum Regis Edwardi." There are two copies of the "Speculum Regis," in eighteen chapters, in the British Museum, Faustina, b. 1, and Cleopatra, d. 9. MSS. of this work have been several times advertised for sale of late years.

The archbishop could not, at a time, when it was doubtful whether the plague had left the country, assemble the clergy in large numbers, and it was supposed by some, that the visitation had been perfunctorily discharged; the archbishop being rather unobservant of delinquencies, or else failing to notice them from considerations offered in private. But upon this subject, the minds of his calumniators were soon disabused. Everything had been carefully noted, and when the archbishop returned to Canterbury, all offenders, high and low, were called to account.

At Lincoln the archbishop found an opponent in the bishop of the diocese.* The Bishop of Lincoln had purchased from the court of Rome, at an enormous expense, an exemption from the jurisdiction of his metropolitan. As monasteries, by placing themselves immediately under the pope, were exempted from the jurisdiction of the bishops, in whose dioceses their establishments might locally stand; so the bishop thought, that by taking the pope for his immediate superior, he might make his an exempt diocese. But Islip, a lawyer, knew that, by the common law of the Church, any bull to such an effect could not be permanently binding. He acted accordingly. He remonstrated with the authorities at Avignon, and a counter bull was issued. We possess the two documents, and strange documents they are, when brought into juxtaposition. The first is a bull from Clement VI., absolving the Bishop of Lincoln from any oath of fidelity, obedience,

* John Gynewell had been rector of Llanethly, and prebendary of Lincoln; he had a stall, also, in Salisbury, and another at York. On 13th of May, 1346, he was Archdeacon of Northampton. He was consecrated at Oxford on the 23rd of September, 1347, at the same time as John Thoresby, who was then Bishop of St. David's, and afterwards became Archbishop of York. He died at Lidington on the 4th August, 1362. Ang. Sac. i. 45. X. Script. 2620. Stubbs, 55.

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and subjection, by which he had been bound to the Archbishop and Church of Canterbury. The second document is a bull of Innocent VI., in which it is stated that, in the indulgence granted by Pope Clement to John Bishop of Lincoln, some things more and some things less were inadvertently inserted; it was added, that Clement, before his death, intended to correct them, so that the indulgence was virtually cancelled. The archbishop, therefore, was justified in the course he pursued; and the Bishop of Lincoln—all we have to say of him is, that he did not receive back any portion of the money he had expended. This repayment was a useless trouble, of which the papal court had never been guilty.

This was not, however, the only inconvenience to which, on the ground of exemption, the primate was subjected. The relations between the University of Oxford and its diocesan, the Bishop of Lincoln, were not yet decided. The Bishop of Lincoln refused to confirm the election of William de Polmorna to the Chancellorship of the University, although this was only a ministerial act. He refused to assign a reason for conduct so unprecedented. An appeal being made to the archbishop, the archbishop issued his precept to the bishop, requiring him, within six days, to confirm William de Polmorna, or to show cause for his refusal before the commissary of the archbishop, in the church at Mayfield, at which place the primate was at that time residing. The bishop being contumacious, the archbishop next appointed a commission to confirm and admit the chancellor. The Bishop of Lincoln appealed to the pope, and on the strength of the appeal, justified his non-appearance. The primate pronounced the appeal to be frivolous, and treated the bishop's non-appearance at Mayfield as a contempt of court. When the bishop disregarded another citation, made according to due form, the primate placed the town of Banbury, where the bishop

was then residing, under an interdict, including of course the bishop's chapel. The bishop still persevered in bringing the case before the papal courts; but he gained nothing by his conduct, except an ordinance, which the University accepted, by which, for the future, the Bishop of Lincoln was required to confirm the Chancellor of the University, if duly elected, at the first requirement; if the bishop refused or delayed the chancellor was then to be confirmed by the archbishop or his commissioner.*

In the year 1353, the University was convulsed by a controversy which caused much more trouble to the archbishop. A disturbance, originating in a drunken broil between some students and a vintner, ended in a pitched battle between gown and town. The bell sounded from St. Martin's, and summoned the townsmen to the battle. The bell sounded from St. Mary's, and summoned the gowmsmen to the rescue. Bows were bent and arrows were drawn. The fight began in earnest. The gowmsmen seemed likely to obtain the victory, but the bell of St. Martin's still sounding the alarm, two thousand persons from the surrounding country rushed to the city gates, and recruited the troops of the townsmen. Twenty-eight gowmsmen were left dead in the streets, and the number of wounded was considerably larger. No one was safe, except those who ensconced themselves between the four walls of a college or a monastery. A contemporary poet writes:—

Urebat portas agrestis plebs populosa :
 Post res distortas videas quæ sunt vitiosa.
 Vexillum geritur nigrum, *Slea Slea* recitatur,
 Credunt quod moritur rex, vel quod sic humiliatur.
 Clamant *Habock et Habock* non sit qui salvificetur,
Smyt fast, gube good knocks, nullus post hæc dominetur.†

* Wood, Annals, i. 451. All the documents are to be found in Wilkins.

† Wood, i. 458.

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The townsmen having cleared the streets, attacked the inns, hostels, or halls of the scholars.

Invadunt aulas by the Sun come forth the geminantes.

Fregerunt caulas simul omnia vi spoliantes

Sic occiduntur plures, &c.*

The archbishop was implicated in this affair, by the exercise of his authority as metropolitan. He superseded the jurisdiction of the Bishop of Lincoln. The bishop had placed the town under an interdict, and then, for some reason unassigned, he modified, if he did not reverse, the sentence. The interdict was renewed by the authority of the primate. He acted thus to render the townsmen amenable to an arrangement, which he suggested with a view of settling finally, all disputes with reference to the several jurisdictions of the chancellor and the mayor. Both parties were required to admit, that they had been, to a certain extent, in the wrong—that admission, which is always necessary, before a reconciliation can be rendered permanent. The matter was then submitted to the arbitration of the king. The king in council, acting on the advice of the archbishop, confirmed the ancient charters that had been granted to the town, and then conferred on the university, certain privileges, which it retains to the present hour.†

We may now mention the legislative enactments with which Islip was, more or less directly, concerned; and advert to that most important measure, which was, in fact, the first decided step taken, so far as externals were concerned, towards the reformation of the Church of England.

* Wood, i. 459.

† Compare Wood, Parker, Collier, Barnes, and Ingram. It was reported that the mayor was hanged, but Anthony Wood says: "I deem the report false, because the mayor lived several years after this time, and died a wealthy man."

We have had occasion to allude before, to the statute of provisors, and to the evils resulting from papal provisions, which it was designed to redress. It will be only necessary, very briefly, to recall the reader's attention to the whole subject.

We have been compelled to note the aggressions of the see of Rome upon the patronage of the Church; and so carefully was the progress made, that the advances made by the Roman court may be compared to the steps of the feline race—stealthy and gentle, until it was time to pounce upon the prey. The attempt was first made on the rights of private patrons, towards the close of the twelfth century. Letters were addressed to patrons, asking for the exercise of their patronage in favour of certain specified persons. These were called expectatives. The expectatives by degrees grew into mandates under the pretext, that the patrons were suspected of having entered into simoniacal contracts, or of entertaining an intention of keeping the benefice vacant, for the purpose of applying the revenues to their private use. The latter was a plea so often heard, that we shall find measures taken to guard against an evil which, in unsettled times, may have been of frequent occurrence.

Then came the power of devolution—that is, of appointing a proper person to a vacant see, should a divided chapter fail to elect in a reasonable time; or if, on an appeal, the person elected was found to be incompetent. This proceeding was justified on the ground, that it was expedient to supply a pastor to the church with as little delay as possible.

The decretal, unquestioned and uncontroverted, had also asserted for the pope, the patronage of all sees rendered vacant by the death of the incumbent, when attending the courts at Rome—"vacantes in curia." The policy of the Roman courts thenceforth, in encouraging

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the number of appeals was evident; and bishops were taught by experience, that, by a personal attendance, any business they had to transact at Rome was, if not expedited, yet more satisfactorily arranged. "

Notwithstanding all these precautions, the complaints of simony, and of the wrong doings of patrons, were frequently brought before the authorities of Rome; and the Roman lawyers suggested that, in order to prevent these abuses, the pope, when he had grounds for supposing, that a patron would not exercise his right according to law, might nominate to any benefice by anticipation, before the death of the incumbent,—that he might reserve certain benefices, assuming to himself, *pro hac vice*, the appointment. In the fourteenth century, Clement V. broadly asserted, that the right to present to all benefices was inherent in the pope. He maintained, that other patrons only exercised the privilege of patronage as a concession. He who gave might take away, and the conceded privilege might, for special reasons, and at certain times, be revoked. Hence, during the life of the incumbents, the pope might make reversionary grants; which reversionary grants were called provisions. At first, he nominated the successor of a living incumbent. After a time, he simply notified to an astonished patron, that he had provided for the benefice, though he had not thought it necessary to mention the fact. At last, the provision came to signify little more than the intention of the pope to supersede the right of a patron; and, as the source of all patronage, himself to appoint. As the pope, at the same time, claimed the power to grant dispensations from any canons, which had been passed against non-residence and pluralities, together with permissions to hold benefices in commendam; the pope, through his provisions, could, in point of fact, pension the members of his court and household, or any persons

whom he might be pleased to force upon the different national churches of Europe. Nay, more than this. Not content with finding an income for his courtiers, lawyers and counsellors, the pope claimed to have a share in the spoil. Annates, consisting of the first year's income of a benefice, were exacted from all whom the pope appointed by provision and reservation—a circumstance, which will account for his setting aside the canonical election of Islip and his immediate predecessors. A tithe also upon the tithe was, every year, to be paid into the papal treasury.

We have had instances of the unscrupulous manner, in which these usurped powers were exercised, from time to time, and the immense sums of money, in consequence, drawn out of the country. Even if we admit that the clergy, who wished to rouse the government to protect them, may have exaggerated some of the statements, the grievance was so great, as, at length, to rouse the indignation of the whole kingdom.

We are not to attribute any deep political foresight or sagacity to the parliament of Edward. We simply remark, that it exhibited one of the characteristics of the English mind. Its members were thoroughly practical. They waited, till the grievance was intolerable, and then, as with a sledge-hammer, they sought to overcome it.

When provisions were introduced the people murmured. Under the abuse of provisions, by which the income of certain benefices was drawn out of their country, they complained. But when a French pope, supporting the French king against the king of England, sought to strengthen the hands of the enemy, by making the English pay those counsellors, who were most bitterly anti-Anglican in their feelings, it was determined to put an end to an intolerable grievance. To excite the indignant feelings of the people, indisputable facts were produced. As is the case in all

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party movements, other statements may sometimes have been hazarded which exceeded the truth. But the end was answered, the spirit of all England was roused. The pestilence, the ensuing murrain among the cattle, the anticipation, in consequence, of an insufficient supply of food, the impoverished state of the realm, the demoralization of the people, all were traced to the exactions, misdeeds, and usurpations of the papacy, which were declared to be more disastrous than war. It was averred, that, at the papal court, all things were venal; and it was affirmed, that, taking their lesson from Rome, even in England patrons had begun to practise simony without shame or remorse.

Before applying to parliament, Edward, in conjunction with his nobles, sent a remonstrance to the pope. He received a menacing and contemptuous answer, in which it was stated, that both the emperor and the king of France had enacted laws against provisions, but had subsequently repealed them, and had yielded to the pope. Edward replied, that if the emperor or the king of France, either or both, were ready to take the pope's part, to either or both the King of England was prepared to give battle, in defence of the liberties of his crown.

There was now a union of all parties; and in 1350 the statute of Provisors* was unanimously passed. The important preamble of the statute runs thus: "Whereas the holy Church of England was founded in the estate of prelacy within the realm of England, by the king and his progenitors, and by the earls, barons, and other nobles of the realm and their ancestors, to inform them and the people of the law of God, and to make hospitalities,

* "Provisores dicuntur qui vel episcopatum vel ecclesiasticam aliam dignitatem in Romana Curia sibi ambiebant de futuro, quod ex gratia expectativa nuncuparunt, quia usquedum vacaret, expectandum esset." —Spelman, Glossary.

alms, and other works of charity in the places where the churches were founded, for the souls of the founders, their heirs, and all Christians; and certain possessions as well in fees, lands, and rents, as in advowsons, which do extend to a great value, were assigned by the said founders to the prelates and other people of the holy Church of the said realm, to sustain the same charge and especially of the possessions, which were assigned to the archbishops, bishops, abbots, priors, religious and all other people of holy Church, by the kings of the said realm, earls, barons, and other great men of the realm; the same kings, earls, barons, and other nobles, as lords and advowees, have had and ought to have the custody of such voidances, and the presentments and the collations of the benefices being of such prelacies; and the said kings in times past *were wont to have the greatest part of their council, for the safe guard of the realm, when they had need of such prelates and clerks, so advanced*: the bishop of Rome accroaching to him the seignories of such possessions and benefices, doth give them to aliens, who never dwell in England, and to cardinals, which *might not* dwell here, and to others as well aliens as denizens, as if he had been patron or advowee of the said dignities and benefices, as he was *not* of right of the law of England; whereby if they should be suffered there should scarcely be any benefice within a short time in the said realm, but that it should be in the hands of aliens and denizens, by virtue of such provisions against the good will and disposition of the founders of the benefices."*

After this preamble, it was, in full parliament, "ordered, provided, established, agreed, adjudged, and considered, that the said oppressions, grievances, and damages in the

* I have never seen the whole of the preamble printed except in law books. I have given it, therefore, as it shows what were the principles of the Church at this time, in regard to its independence.

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same realm, from henceforth, should not be suffered in any manner." It was, therefore, by the assent of all the great men and the *commonalty* of the realm, "ordered and established, that the free elections of archbishops, bishops, and all other dignities and benefices elective in England, shall be held henceforth, as they were granted by the king's progenitors, and the ancestors of other lords, founders of the said dignities and other benefices; and that all prelates and other people of holy Church, which have advowsons of benefices of the king's gift, or of any of his progenitors, or of other lords and donors, to do divine services and other charges thereof ordained, shall have their collations and presentations freely to the same, in the manner in which they were enfeoffed by the donors. It was enacted, that if the pope should reserve a promotion elective, the king shall have the collation to the benefice or dignity, such as his progenitors originally possessed, before a free election was granted. The election was first granted, it is said, by the king's progenitors upon a certain form and condition—to seek, for instance, a *congé d'élire*, and after election to have the royal assent, and in no other way; which conditions not kept, then they ought, by reason, to resort to its first nature."

To guard against any equivocation, it was further enacted, that a benefice shall lapse to the bishop, if the patron, on its vacancy, does not present within six months, and to the king, if the bishop present not within one month. Any provisor, or a person accepting a provision of the pope and disturbing the right of a patron by said provision; or their proctors, executors, and notaries; were to be imprisoned, and were not to be released, until they had paid a fine, and had given security, that they would not transgress again, or sue for redress in any foreign court.*

* Statute of Provision of Benefices. 25 Edw. III. 6.

In 1363, an addition was made to this act, by which it was enacted, that all persons purchasing citations from Rome, or provisions for deaneries or other dignities, should be arrested and punished according to the foregoing statute.

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All the estates of the realm, “the king, the prelates, the dukes, the earls, barons, nobles, and *other commons*, clerks, and lay-people, were bound by this present ordinance to aid, comfort, and to counsel the one and the other, and as often as shall need; and by all the best means that can be made of word and deed, to impeach such offenders, and resist their deeds and enterprises, and without suffering them to inhabit, abide, or pass by the seignories, possessions, lands, jurisdictions, or places, and be bound to keep and defend the one and the other from all damage, villany, and reproof, as they should do to their own persons and for their deed and business, and by such manner and as far forth as such prosecutions or process were made or attempted against them in especial, general, or in common.”*

Three years after the first statute of provisors, in 1353, the first statute of Præmunire† was enacted. In this the grievance was stated, that “diverse of the people had been drawn out of the realm to answer to things whereof the cognizance pertaineth to the king’s court; and also that the judgments given in the said court

* Statute of Provisors, 38 Edw. III. The sentences are long and complicated, but I have thought it best to give them as I find them.

† So called from the words of the writ, “Rex vice-comiti,” &c., “Præmunire facias præfatum A B quod tunc sit coram nobis,” &c. “Præmunire” is said to be used for “præmonere,” to forewarn. But though this is usually asserted, “Præmunire” is a Ciceronian word in a cognate sense, and there does not seem to be any reason why “Præmunire” should be looked upon as a corruption:—forewarned, forearmed:—and the use of “munio,” “præmunio,” and “munimenta” is more common in mediæval writers, than in the classics.

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are impeached in another court to prejudice and disinherison of our lord the king and his crown and of all the people of the said realm and to the destruction and undoing of the common law of the said realm at all times used." Wherefore it was enacted, that "all the people of the said king's ligeance, of whatsoever condition they be, which shall draw any out of the realm, the plea whereof the cognizance pertaineth to the king's court," or offend in any of the ways above recited, shall be bound "to appear before king and his council, or in Chancery, or before the king's justices in his places of the one bench or the other, to answer in their proper persons to the king of the contempt done in this behalf." If they failed to do this, they were put out of the king's protection, and their lands, goods, and chattels forfeit to the king, and in their persons they were to be imprisoned.*

Among the first to violate, if not the letter yet the spirit of the statutes, were the king himself and the Prince of Wales, though I am inclined to think, that they received some provocation from the archbishop. The story is this: on the death of Northburgh, Bishop of Coventry, and Lichfield, Robert of Stretton was elected as his successor, at the instance of the Prince of Wales. His confirmation belonged of right to the Archbishop of Canterbury, who rejected him on the plea of his being incompetent. The prince, with the consent of the king, appealed to the pope, and the pope confirmed the sentence of the archbishop. Now here comes the difficulty. We do not find that Stretton's morals were attacked, but only his literature. It is, indeed, certain, that in his old age he was blind, and that he could not read at his consecration.† But then, on the other hand, he was not only a Canon of

* Præmunire for suing in a foreign realm. 27 Edw. III. c. i.

† See Ang. Sac. i. 449.

Chichester, but a doctor of laws, and an auditor of the Rota. The king and the prince remonstrated with the pope, and the pope promised to confirm any sentence pronounced, on an examination of the case, by the Archbishop of Canterbury, in conjunction with the Bishop of Rochester. The prince urged these prelates to deal with the elect not according to the strict letter of the rule, but with gentleness and favour. This looks suspicious, as against Stretton. And the archbishop and the Bishop of Rochester still refused to confirm the election. It is so unlikely that an auditor of the Rota should be unable to read, unless by a physical defect, that we cannot help suspecting that the English clergy were dealing unfairly with an unpopular man, his blindness or short-sightedness being made a handle against him. But be this as it may, if we acquit the prince of having selected an improper person, we cannot justify the way in which he carried his point.

The prince again applied to the pope. The pope not only yielded to the application, but, with the countenance of the prince, in defiance of the common law of the Church and the statutes of the realm, issued a commission for the consecration of the very man, whom he had, two years before, declared to be unfit for a bishopric.

We see from this one transaction—and similar cases might be produced—how difficult it still was to restrain self-willed princes, and how necessary it became to re-enact the statute of Provisors from time to time.*

This was not the only struggle, which Islip had with

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* In the early period of parliamentary legislation it became frequently necessary to re-enact a law. Persons seeking to evade it would represent it, otherwise, as obsolete. The Statute of Provisors required to be followed up by many others to the same effect. To give a few instances, 27 Edw. III. c. 1; 38 Edw. III. c. 1; 3 Ric. II. c. 37; 8 Ric. II. c. 12; 12 Ric. II. c. 15; 13 Ric. II. c. 23; 2 Henry IV. c. 3; 7 Henry IV. c. 8; 9 Henry IV. c. 8; 1 Henry V. c. 7; 4 Henry V. c. 4.

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this illustrious prince. The king, on the death of every English bishop, was entitled to his horse or palfrey, with the saddle and bridle, a cloak with a hood (*capella*), a cup with a cover, a basin and ewer, a gold ring, and the mute or kennel of hounds of the deceased prelate. When the Black Prince was invested with the Principality of Wales, he concluded, that the rights of royalty devolved upon him; and, on a vacancy of the see of St. Asaph, he demanded the payment of these dues. The archbishop resisted his claim. He proved, that in the dioceses of St. Asaph and Bangor, as in that of Rochester, the royal rights, in these respects, had been conferred upon the primate.*

Upon another occasion, we find the king co-operating with the archbishop in maintaining the principles of the late statutes; but we must remark that on this occasion he had no private ends to serve. A misunderstanding had taken place between the Lady Blanche Wake and Thomas de Lisle, Bishop of Ely. †

We have no occasion, to go into the merits of the case, and need only remark, that the bishop was one of those wrong-headed men who, even when they are in the right, if the case be considered abstractly, contrive, by their conduct, to place themselves in the wrong. He was accused of abetting arson and murder. A farm-house of the Lady Blanche was burnt, soon after their misunder-

* Coke's 2nd Inst. 491. There is a very interesting paper on the rights which were claimed on a vacancy in the primacy by the Chapter of Canterbury, in the *Journal of the Archæological Institute*, xi. 275.

† Thomas Lyldus, or de Lisle, was educated at Cambridge, where he graduated in theology. He was a learned man, "ut illa ferebant tempora," as Godwin expresses it; and was eminent as a preacher. He was appointed by papal provision to the see of Ely, and was consecrated at Avignon. He died on the 23rd of June, 1361. He was a benefactor to St. Peter's College, Cambridge. *Fœdera*, v. 457. *Reg. Lisle MSS. Cole.*

standing, and one of her servants was killed by a servant of the bishop. The bishop was accused of being the real author of the outrage, and was found guilty, upon trial, by a jury. He attempted to set aside the verdict by demanding to be tried by his peers. When that attempt failed, on the ground, that parliament was not sitting, he claimed to be admitted to his canonical purgation; in other words, he appealed from the temporal to the spiritual court; in which a cleric of any grade, when suspected or convicted of a crime before a temporal court, might offer to make proof of his innocence by his own oath or by the oaths of compurgators. Having carried his case to the spiritual court, where no one appeared to accuse him, the bishop called upon the primate to proclaim his purgation. The archbishop, as a wise, prudent, and patriotic man, perceived that nothing could be more injurious to the interests both of Church and State, at this juncture, than to bring the two jurisdictions, in the spiritual and temporal courts, into collision. He declined, therefore, to act. On the contrary, he was urgent with the Bishop of Ely to make his submission to the king, and to regain, if possible, the royal favour.

We may add, that the Bishop of Ely fled to Avignon. Here the pope strongly advocated his cause, and went so far as to excommunicate the judges, who had passed sentence on the bishop, placing their estates under an interdict. The excommunication and the interdict were alike disregarded by the English government. The king, under the late statute of Præmunire, outlawed all persons bringing letters, citations, or censures from the pope into England, and imprisoned the bishops' agents and chaplains. The pope expostulated. He threatened to proceed to further extremities; but the dispute was terminated by the timely death of de Lisle. It was suffi-

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ciently clear that papal power in England was no longer what it had been.*

It is very remarkable, that the year 1350 was a very busy year, when large masses of the people were congregated, apparently without fear. The Black Death could hardly be said to have ceased; and yet we have seen, that a full parliament was held, and that the archbishop did not fear to proceed on his visitation. But what is still more surprising is, that, in this year, amidst feasts and tournaments, the order of the garter was finally established, and the knights installed. According to Walsingham and Fabyan, the order was instituted in 1344. According to Stow, the date of its institution is 1350, and Ashmole gives this as the date assigned in the statutes.† It was probably founded, as is commonly stated, on the 19th of January, 1344, but was not completely organized, until the 23rd of April, St. George's day, in 1350; when the archbishop was summoned to Windsor to assist at its inauguration.

There seem to have been no precautions taken against the spread of the plague, and there was probably little fear of contagion or infection. It was a visitation of God, and the people felt, that they had only to submit. Then, again, scarcely any of the wealthy or the noble were smitten; and, to the shame of chivalry, it must be

* Ang. Sac. i. 652. Walsingham, ad. an. 1358. Parker.

† In Rastell's Chron. 216, the following passage occurs: "About the 19th year of this kynge, he made a solemne feest at Wyndsore, and a great justes and turnament, where he devysed and perfyted subtancyally the Order of the Knyghts of the Garter. Howe be it some afferm, that this order began fyrst by Kynge Rycharde Cure de Lyon, at the sege of ye citie of Acres, wher, in his great necessity, there were but xxvi knyghts that fermely and surely abode with the kynge: wherefore he caused all them to were thongs of blue leather about their legges; and afterwarde they were called Knyghts of the Blue Thonge."

stated, that, below an esquire and a priest, the sympathies of a knight could seldom descend. Add to this we must, that a ceremonial of this sort, in the fourteenth century, was not regarded as it would be now, in the light of a mere pageant. It was, also, a religious ceremonial. Stow describes the king and his five and twenty knights coming forth in grand array. Each knight was clothed in a gown of russet, powdered. Over this was a blue mantle with scutcheons of St. George. Each knight had his garter of blue below his knee, with the motto, "Honi soit qui mal y pense." The chroniclers describe the splendour of the court, at which Philippa of Hainault presided, apparelled in a dress which cost £500. They tell us of the squires, pages, and yeomen in their rich liveries, attendant upon the noble dames; of heralds and pursuivants running to and fro, their gorgeous coats sparkling in the sun. The king appeared in the lists with a white swan upon his shield. His son in splendid armour rode by his side.* We are told of the knightly dexterity, with which the horses were made to pace round the arena, before the combatants arranged themselves, in two parties, for the conflict. We are left to imagine the sound of the trumpet; the charge, and the shivering of lances; the shouts of the people; the fair faces looking down from the turrets upon the spirit-stirring spectacle; the clarion peal around the castle walls. There is something strange in the interest felt, even at the present hour, when such a scene is presented

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* It is sometimes supposed, that the Prince of Wales wore black armour, than which nothing can be more erroneous. Neither Froissart nor Monstrelet, nor, as far as I know, any English chronicler, calls him the Black Prince. The French, after the battle of Cressy, spoke of him as Edward le Noir, and the English soldiers adopted the term, as one of endearment, as Marlborough was styled Corporal John, and other leaders have had their nicknames.

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to the imagination. But my business is to mention the first part of the ceremonial, which consisted in a solemn procession of the king and of all the knights, bare-headed, to the royal chapel, where the primate of all England, in full pontificals, and wearing the pall, was standing to receive them, and to give that blessing to the institution, which still attaches to the order. The archbishop announced what was inserted in the ordinances of the order, that everything was ordained to remind the knights of their being Christian men, engaged to maintain, wherever they might be, the cause of Christ. The garter was to represent the importance of unity among the knights; and each knight was to bind it on his knee to be warned, that, in battle, he should never fly. The motto was to suggest to him, that nothing unseemly was to be done by a knight; while the image of St. George was to instigate him to the acts of a hero. His purple robe indicated, that a knight was the equal of kings; the collar, always of the same weight and with the same number of links, was a witness of the bond of faith, of peace, of unity. They were called companions of the order, to declare their readiness in peace or war to act as brethren, and with one accord. In Anstis's Register of the Order of the Garter, and in Ashmole, more to the same effect may be found, drawn out to a considerable length.

The archbishop proceeded to the altar. There he celebrated high mass, and the king, with the knights, received the holy communion; devoting themselves to the service of God, to the maintenance of truth, and to the resistance of all wrong-doers.

There may have been more or less of superstition in some of these proceedings; but the connexion of all that related to the ceremonials of the court with religion, prevented them from becoming what they too often are in modern times, a mere unmeaning formality.

There was another state ceremonial, in which the archbishop was concerned, and to which a religious character was imparted. I allude to the release of the royal French prisoner, King John, in the year 1361.

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King Edward kept his Christmas, in 1360, at Woodstock. He held his parliament, immediately after the holidays, on the 24th of the following January, at Westminster. He communicated to the three estates of the realm the articles of peace which he had made with the king of France.* The two houses were satisfied with the arrangements, and all preliminaries having been settled, the king, with the lords spiritual and temporal, attended a solemn service, at Westminster Abbey, at which the archbishop officiated. The epistle of the day was singularly appropriate. It was taken from 2 Cor. xiii. 11—"Be perfect, be of good comfort, be of one mind, live in peace; and the God of peace shall be with you. The grace of our Lord Jesus Christ, and the love of God, and the fellowship of the Holy Ghost, be with you all. Amen."

When the sacrament had been consecrated, it was placed in front of the altar, amidst a blaze of torches; the archiepiscopal cross forming a kind of reredos. The peers were, all of them, to receive the communion. The two kings had been sworn before; and King Edward and his sons took their place fronting the French hostages. The archbishop then drew nigh, and with a loud voice said, "We, Simon, Archbishop of Canterbury, do swear upon the Holy Body of God, and His Holy Gospel, firmly, as much as in us lies, to keep the peace and concord agreed upon by the two kings, and to do nothing contrary thereunto." He signed the oath, and having delivered it to notaries, he received the sacrament. Each peer then followed in due order; and when all the

* The articles may be seen in Brady or Tyrrel.

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English were sworn, the same form was observed by the French.

Simon Islip was a stern strict man, attending to every little detail of duty, and requiring of others that they should do the same. Such a man was sure to be unpopular, especially when, economical in all the arrangements of his household, he also evinced a grasping and avaricious disposition. We have vindicated him from the charge of penuriousness in regard to his enthronization, but nothing can justify his subsequent conduct. The plague was followed by a murrain among the cattle, which, with other consequences of "The Mortality," exposed him to pecuniary difficulties. He, consequently, obtained a papal bull, empowering him to levy a tax upon the clergy of the diocese, at the rate of fourpence in the mark. He actually exacted a tenth. Perhaps he was unjustly censured for insisting upon dilapidations, to the amount of £1100, from the executors of John Ufford. For he could only make them refund the money, which Ufford had received, and which his executors ought to have paid to Bradwardine. Some defence may be made for his conduct in felling the timber on his estates. It is not said, that he damaged the property; and the timber being there, it was better to cut down the trees, than to run into debt.*

Another act of his was offensive to his contemporaries. As lord of the manor of Slindon, near Chichester, he had a claim on the estate of the Earl of Arundel for thirteen fat deer and thirteen lean deer—this claim he sold for 240 marks. It was said, that he had no right to part with a privilege pertaining to the see.†

* Ang. Sac. i. 46. "Archiepiscopus vendidit arbores in et super terris tenentiæ Cantuariensis Archiepiscopi in Walda crescentes communiter vocata Dornedenes." In the Sussex Archæological Journal, Mr. H. R. Hoare refers this to Dornedenes in the Wold of Kent, ii. 128.

† Ang. Sac. i. 46. Perhaps Islip is less to blame in this transaction

But, as frequently happens in men of Islip's disposition, who are at the same time men of principle, and under the influence of a sense of duty, he was not found wanting, when a clear case of necessity was brought before him, or when any great and important work was to be accomplished.

When, in May 1357, the Prince of Wales arrived at Canterbury, with his prisoner, John, King of France, we may be certain, that the archbishop entertained the royal visitors; for his absence would have been such a mark of disrespect, that it would have been noticed by the chroniclers: equally certain it is, that they would have noticed any curtailment in the splendid hospitalities which were usual on such occasions in the Palace of Canterbury.

It is admitted, that in repairing the edifices attached to the see, especially on his favourite residence, the manor house of Mayfield, in Sussex, he displayed not only munificence, but also considerable taste in architecture. He expended a large sum of money on the palace at Canterbury, probably upon the occasion of the royal visit just referred to. He completed the house at Maidstone, the repair of which had been commenced by his predecessor. But his great work was Canterbury Hall in the University of Oxford, for which great work all his savings were designed.

We have alluded to the influx of illiterate persons into the sacred ministry, by the sudden demand for clergy after the great mortality of the plague. The bishops had, like Jeroboam, very frequently, to make priests of the lowest of the people. Islip devoted the energies of

than is supposed, for it appears from the Close Rolls that the deer had been compounded for by Boniface and Peckham. The national bankruptcy under Edward, and the impoverishment of the see by Stratford, are enough to account for the economy of Islip.

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his powerful mind to restore, by the exercise of spiritual discipline, something like order in the Church. The enthusiasm of the new clergy required regulation; and valuing a learned ministry, as Islip did, he established this hall as a place of education for students, who were natives of Canterbury.

Canterbury Hall is now, to use Fuller's quaint expression, swallowed up in Christ Church, "which is no single star, but a constellation of many put together."* Canterbury Hall has, however, a place in history, from its supposed connexion with the great Reformer, John Wiclif; a notion which is now exploded.†

We still possess the charter of foundation, upon which the archbishop bestowed no little thought and care. It is a document of considerable interest, and having laid down those general rules for the government of his college, which are common to all such institutions, the founder descends to some particulars, which throw light upon his own character, and the circumstances of the age.

Dress was so much thought of in those days, that sumptuary laws were as necessary at the university, as they were supposed to be elsewhere. He directs, that "the warden with the scholars, in addition to their ordinary dress, shall receive yearly certain robes from the common fund; and that the masters shall be clothed in the same way—viz.,

* Fuller, ii. 307.

† I assume it as a fact now admitted by all, who have examined the subject, that the warden of Canterbury Hall is a person distinct from the great reformer. The reader who wishes to see the subject logically argued and clearly proved is referred to Shirley's note on the two Wiclifs, appended to the republication of the *Fasciuli Zizaniorum*, published in the *Rerum Britannicarum Medii Ævi Scriptores*. This treatise is so brief as well as full, that it does not admit of further abbreviation. It frees the reformer from the suspicion that his violence against Rome originated in personal feelings.

bachelors with colobes* or tabards reaching to the ankles ; sophisters with short colobes according to the stature of each, and, as is fitting, with furs. The master shall receive furs of miniver for hoods and of buget for supertunics, bachelors of buget for both, and sophisters lambswool for supertunics only, yet so that the price of the masters' robe and the fur exceed not 30s., of bachelors 24s., of sophisters 18s., unless competent provision can be made for a less sum, to which end let the bursar or other purchaser on your part, be careful and exert himself as much as possible. The bursar for the time being, taking with him, if need be, a more experienced person whom the community may have chosen for this purpose, shall faithfully purchase both robes and furs, at a fitting time, at the said price, and shall distribute them amongst the fellows, to each, as aforesaid, according to his quantity. Let the residue remaining at the year's end be faithfully kept for other necessary and common uses of the said society. We inhibit the said scholars from using cloaks or any other garments whatever, unless with their tabards over, within the university, at least in the public congregation of the scholars, except in rainy weather, at which time they may have their cloaks, that thus their colobes may be kept the better. Also when after vespers the scholars customarily walk abroad and take the air for a short period, we wish that the fellows who are willing to walk out should seek each other's society and walk together conversing with each other in pairs on scholarship or on some proper and pleasant topic, and so return together betimes."

The fellows were directed to speak Latin in the hall, and all garrulity was prohibited. They were not all to speak

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* The colobe is described by Ducange as a sleeveless tunic, or a tunic with short sleeves, "tunica absque manicis vel certe cum manicis, sed brevioribus, ex Græco *κολοβός*, *curtus*."—Ducange, Gloss.

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at once, but the younger were to listen, while the elders laid down the law. It was customary, in the university, for the members to incur great expenses, when feasts were given to celebrate any events of more than ordinary interest to the community in general, or to any of the members. We have here an instance of Islip's love of economy. "Whosoever," he says, "of the said house shall have incepted in any faculty, let his entertainment be held in the hall of the said house and not elsewhere, nor let him invite more than can, commodiously and properly, be received in the said hall; but with such a party, or less if he wish it, let him be contented. But let none of the fellows, on account of his determination or inception in arts, nor any bachelor in any science even of the higher class, make any feast; but if he wish it, and it may be conveniently done, let him be quite contented with the distribution of a small and inexpensive allowance amongst his companions."*

Minute directions are also given for the regulation of the Library and the Chapel.

The first warden, whom Islip selected, to preside over his college was Dr Woodhall, a monk. Woodhall was a man of restless spirit and a violent temper. He soon showed himself to be unequal to the post. In adjudging between the rival pretensions, claims, and prejudices of scholars and monks, brought together under one roof, a discretion was required which Woodhall did not possess. The archbishop availed himself of the power, which founders of religious establishments were accustomed to reserve to themselves, to remove Woodhall; and he nominated in his place John Wycliff, Vicar of Mayfield.

With the Vicar of Mayfield we may presume, that the archbishop was intimately acquainted, for Mayfield was Islip's favourite place of abode. By reference to his

* Constit. Aulae Cant. in Univ. Oxon, ex Reg. Islip, fol. 213.

signature attached to various public documents, we find him resident here in the months of May, July, August, and September, 1350. He was here from April to July 1352, in February 1357, in March 1361, in January 1362, and in April 1363.

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He was at this time, a paralytic old man. In January this year, 1363, the archbishop was riding from Otford to Mayfield. Between Sevenoaks and Tunbridge he fell from his horse in a wet and miry place. The horse appears to have stumbled, and the rider was wet through. He rode on, nevertheless, without changing his dress; and, what seems more remarkable, when he arrived at Mayfield, finding himself weary, he fell asleep in his wet clothes in the stone chamber,—“*ibidem in quâdam lapideâ camerâ dormiens meridie.*” He woke ill, but contrived to take his place at the dinner-table; but the cold increasing upon him, he could scarcely articulate. It was soon perceived, that the archbishop was labouring under a stroke of paralysis. His mind, however, was not affected, for it was during this time, that he drew up the statutes of his college.

In July, he tried change of air, and was carried in a litter (*suaviter in litera*) to Charing. He was well enough to visit Canterbury, but he did not stay there. His manor of Charing was his chief residence till August 1364, when he returned to Mayfield. Here he remained till the time of his death; an event, which took place, at midnight, on the morrow of St. Mark, the 26th of April, 1366, in the seventeenth year of his consecration.

As a characteristic trait we may remark, that he wished his funeral to be private, and to be conducted with as little expense as possible.

His orders were obeyed; and on the second of May he was buried in the nave of Canterbury Cathedral, “*absque tumultu et expensis.*”

Part of his will is preserved in the *Dies obituales Archie-*

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pisc. Cantuar. He bequeathed to the convent six dozen silver plates and as many silver saltcellars of a superior kind, and newly made; four silver basins with four ewers, twenty-four pieces of silver and six silver wine-cups, "to be used in the refectory of the convent and not elsewhere." He also left a thousand of the best ewes he had, to form a perpetual stock; together with many rich robes and vestments. The quantity of stock kept upon an Episcopal estate may be inferred from that, which was found on the estates of the See of Winchester on the death of Edendon, which happened in the same year. There were 127 draught horses, 1,556 head of black cattle, 3,876 wethers, 4,777 ewes, 3,521 lambs.*

In the parish church of Islip, the device of the archbishop was found in several of the windows,—the device was, a boy slipping down from a tree, and over his head and in a label from his mouth these words on a scroll, "I slip," in allusion to his name.

* Lowth's Life of William of Wykeham, p. 60. Hasted's Kent, 327.

CHAPTER XIII.

SIMON LANGHAM.*

A man of wealth.—A monk of Westminster.—His munificence.—Abbot Henley.—Lawsuit with the Lord High Treasurer.—Abbot Byrcheston.—Langham represents him at the General Chapter of Benedictines.—Black Death.—Deaths in the Abbey.—Langham Prior.—Abbot.—His confirmation.—Rules of the Benedictines not strictly observed.—State of the Abbot.—Langham pays off the debt on the Abbey.—Langham a great architect.—Important works at Westminster Abbey.—Langham's discipline.—Regarded as a second Founder.—His benefactions.—Appointed Lord High Treasurer.—Obtains royal donations to the Abbey.—Venison.—Relics.—Langham offered Bishoprics of London and Ely.—Chooses Ely.—His consecration.—His Episcopal injunctions.—Feasts of Fools.—Langham's generosity.—Appointed Lord Chancellor.—His Ministry.—Opens Parliament, 1363.—His speech.—His determination to enforce Statute of Provisors.—Opens Parliament, 1365.—His speech.—Statute of Provisors made more stringent.—Pope retaliates by demanding the tribute.—Opens Parliament, 1366.—Speech.—Demand of Pope for tribute indignantly rejected by King, Clergy, Parliament, and People.—Wiclif employed to write on subject.—Wiclif preferred under Langham's government.—Langham desires

* Authorities:—Birchington; Adam de Murimuth; Walsingham; *Historia Eliensis*. There is said to be, in manuscript, a history of the abbots of Westminster in the library of Westminster Abbey, which I have not been able to see; but probably it is the original of the valuable notice of Langham in Widmore's *History of the Church of St. Peter*. His statements have been compared with the observations in Mr. Scott's *Gleanings of Westminster Abbey*, a work worthy of its author. There is a notice of him in Dugdale's *Monasticon*; Steven's *Monasticon*.

Church reform.—Primacy offered to Bishop of Winchester, and refused.—Accepted by Bishop of Ely.—Langham enthroned with much magnificence.—Archbishop's hospitalities at Lambeth.—Libels. Gratitude of monks of Ely to Langham.—An accident.—Resigns great seal.—Nevertheless opens Parliament 1368.—Arranges title for London clergy.—Condemns Scotales.—Rationalistic heresies prevalent.—Discontent among the people.—John Balle.—Hymn to St. Catherine.—Clergy required to arm their tenants in the event of an invasion.—Case of Canterbury Hall stated.—Nominated Cardinal.—The King's anger.—Langham resigns the primacy.—Pecuniary difficulties.—Reconciliation with the King.—English preferments.—Comes on an embassy to England.—Re-elected to Canterbury by Chapter.—Refused archbishopric by the King and the Pope.—Interest in the works of Westminster Abbey.—Obtains leave to return to England.—Prevented by a paralytic stroke, which proved fatal.

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SIMON LANGHAM was born at Langham, in Rutlandshire.* He may have possessed a surname; but these surnames were not retained by monks; and the custom of the age was, when a man arrived at eminence, to drop his patronymic, and to designate himself from the place of his birth.

Of his early life nothing is known. He first comes under notice, as a monk of St. Peter's, Westminster. It is conjectured by Widmore, that he received the cowl not earlier than the year 1335. He was probably a man of fortune. An admission to the richer monasteries was an object sought with avidity, at this time, by men of rank and learning; by others who desired a quiet and permanent retirement from the turmoils and dangers of civil and military life; and by others, again, who regarded it

* There are several places called Langham, in different counties. Some persons have fixed upon Bishop's Langham, in Norfolk, as the birthplace of our prelate; but his will, a copy of which may be found in the Appendix to Widmore, seems to settle the question in favour of the Langham in Rutlandshire, by the fact of his leaving a legacy to the church of that parish.

as an honour, to have their names enrolled among the members of these religious institutions. As we have seen in the life of Edmund Rich, an object so much desired was attainable through contributions to the treasury of the convent, either by grants of land or by gifts of money.* We can only account for the vast, we may say the enormous, benefactions of Langham to Westminster Abbey, by supposing him to have possessed large private means. His preferments were considerable, but he did not hold them long; and his expenses in making his various changes of condition must have been great. It is expressly stated that, when he became abbot, he paid off the debts of his predecessors by money saved while he was monk or prior. Widmore doubts the accuracy of the statement, because, by the rule of their order, the Benedictine monks could not have anything in private property.† This is true, but it is also true, that this rule, as well as others, was often evaded; and, instead of rejecting the assertion of contemporary historians, we consider it to be much more reasonable to suppose, that Langham, upon his becoming a monk, assigned his private property to trustees, reserving to himself that power over

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* Wymer de Cameston, before the year 1135, gave to Castleacre Priory one carucate of land, "when he took on him the monk's habit." Matthew Peverell, about the year 1186, confirmed to the monks of Norwich a donation of certain lands and rents to Great Malton, on condition that they received his brother Peter as a monk among them. Alice de Meliers, in the time of King John, gave tithes to St. Bennet's Abbey, when one of her sons had become a monk. William Earl of Warren and Surrey gave to Carrow Abbey a messuage and forty acres of land, "when Muriel, his sister, professed a nun there." In the reign of Henry I., the Abbot of Hulme, for the sum of 10*l.*, granted to Richard Basset the town of Heigham for his life, and agreed "to receive him into the fraternity of that abbey." Richard Fitzwilliam gave lands to the monks, "that he might obtain a monastic brotherhood in that priory."—See Taylor's Index Monasticus.

† Cap. xxxiii.

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it, which he so munificently displayed.* He acted up to the spirit of the rule, by devoting the bulk of his large property to the service of his order and abbey. Besides expending vast sums of money during his life, he left, at his death, the residue of his property to the *Fabric* of the abbey.† It would seem from this, that his desire was, to devote his vast resources not to the increase of luxury in the convent, but to the adornment of the edifice, in the completion of which he took so lively an interest and such great delight. This residue amounted to 10,800*l.*, equal to nearly 200,000*l.* of our money.‡

In pursuing this argument, we have anticipated our history. We go back to the earlier career of Simon. When he was received as a monk, Thomas Henley was the Abbot of Westminster. The first thing done was to place the hood upon the young candidate's neck. The candidate remained, for three days, fasting, receiving, each day, the Holy Communion. On the third day, he again knelt before the abbot, who put the hood over his head. He was enjoined silence; he was not permitted to walk in procession, or to read in the church or pray aloud. To perform these and all other monastic duties and offices, the Master of the Novices made application in Langham's behalf, at the first meeting of the Chapter; and, this being granted, the novice was duly cucullated.

* Strictly speaking, the convent denotes the community, that is, the religious men inhabiting the house and not the house itself, though, in a vulgar conception, the word passes for both. Among the learned the distinction, however, is generally observed. Stevens, i. 7.

† If a monk could not have possessions, how could he save? He must effect savings out of his own profession. All things were found for a monk in a Benedictine monastery: his habit, a handkerchief, a knife, a needle, a steel pen, and tablets to write. His bed was a mat, a straw bed, a piece of serge, a blanket, and a pillow. But though he had the use of these, they were the property of the community. Stevens, 164.

‡ Gleanings from Westminster Abbey, being an extract from Brayley, 72.

Abbot Henley, just at the time of Langham's admission into the monastery, obtained a licence of non-residence from the king, that he might pursue his studies at Oxford. He sought, however, to propitiate the monks, by remitting to the convent nine dishes of meat, six conventual loaves, and three flagons of beer. These they had been accustomed to provide, daily, for the abbot's table, when he was either at Westminster, or at the manor house of Neyte. He excused also their payment of thirty pieces of oak timber, yearly from their wood at Hendon.*

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This statement is valuable; for it shows, that the rule of the founder prohibiting the eating of flesh, was not strictly observed; and, if this regulation was evaded, so might be also the rule relating to property.

At the same time, he impoverished the monastery by involving it in a lawsuit; a suit, in which we are concerned by the fact, that Langham paid the lawyer's bill.

The hospital of St. James, consisting of two hides of land, with the appurtenances, was situated in the parish of St. Margaret's, Westminster. It had been founded by the citizens of London long before the conquest, says Speed, or "the time of any man's memory." It was intended as an asylum for fourteen leprous women. Eight brethren in holy orders were afterwards added to perform divine service.† A question arose as

* Widmore, 89.

† Newcourt, 662. The hospital was surrendered to Henry VIII. in the 23rd year of his reign. The king, having ousted the sisters, built a good manor house, annexing thereunto a park, enclosed within a wall of brick, since that time known as St. James's Park. Newcourt, writing in 1708, says:—"It hath been of late years, that is, soon after the restoration, very much improved and beautified with a canal, ponds, and curious walks, between rows of trees, by King Charles II., serving indifferently to the two palaces of St. James and Whitehall."

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to the right of visitation ; and this it was, which involved the Benedictines of Westminster in a controversy with the lord treasurer. That the abbots of Westminster had visited the hospital was admitted ; but it was contended, that those who did so held also the office of treasurer to the king. The high treasurer, when the suit commenced, was Roger of Northborough, Bishop of Coventry and Lichfield ;* he was succeeded, in 1343, by William de Cusans ; who again was succeeded in 1345 by William of Edendon,† Bishop of Winchester. All made common cause against the abbey. The trial came on, in June 1342. The jury gave a full verdict for the abbot. The hospital was in the parish of St. Margaret, and there, it was decided, that the abbots had possessed full jurisdiction, time out of mind. The lord high treasurer,

* Roger of Northborough was educated at Cambridge, of which university he was, at one time, chancellor. Engaging in the wars, he was taken prisoner by the Scots. He afterwards became a lawyer, and held the office of Lord High Treasurer in 1322, in 1340, and in 1342. He contracted the marriage between Edward III. and Philippa of Hainault. He was ordained deacon in 1317, and had prebends in Lincoln, York, Hereford, London, and Lichfield. He was consecrated to the see of Lichfield on the 27th of June, 1322. He died the 22nd of November, 1359. Foss, iii. 281. Stubbs, 52.

† William Edendon was born at Edendon, or Eddington, in Wiltshire, and was educated at Oxford. Devoting himself to the State as well as the Church, he became Keeper of the Wardrobe in 1343, Chancellor of the Exchequer in 1344, Treasurer in 1345, Lord Chancellor in 1356. He was the first prelate of the Order of the Garter, 1350. He was rector of Cheriton in 1335. He had prebendal stalls in Salisbury, Lincoln, and Hereford. He was consecrated to the see of Winchester on the 14th of May, 1346. He refused the primacy, which was offered to him on the death of Archbishop Islip. He was the founder of Eddington College. He restored the buildings of the Abbey of Romsey. When he was chancellor, he introduced the groat and the half-groat, the real value of which was so far less than the nominal, that there was a serious increase in the price of food. Foss, iii. 425. Stubbs, 55. Collier, iii. 114.

however, found means of delaying the judgment; and obtained a new trial. Then, there was mismanagement or negligence on the part of the monks; and when the Bishop of Winchester was treasurer, he obtained a decision against the abbot.

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Abbot Henley was succeeded by Simon de Byrcheston, in 1344. He appears to have been a selfish, indolent man; and involved the house, already in difficulties, in further debt. He was himself extravagant; he was surrounded by dishonest people; and his relations are described as wasteful persons. By this time, Simon Langham had, by his merits, established a high character among the brethren; and, Byrcheston being too ill or too indolent to attend the triennial chapter of the Benedictines in 1346, Langham was appointed to represent the abbey, at Northampton. The Benedictines, or Black monks, were directed, by a canon of the second Lateran Council, to hold a general chapter every third year, and the decree was renewed by Benedict XII. The place generally selected for the meeting in England, was Northampton, as being near the middle of the kingdom. Here, rules and constitutions were established, to be observed in all houses of the order; visitors were appointed; defaulters were censured; and money was raised for general purposes. Two or three persons were selected from the various Benedictine monasteries, to preside in these chapters. The abbot of Westminster was one of them; and the monk of Westminster, who was sent to supply his place, was already a man of mark.

In 1349, the Black Death had reached London; and from the effects of this awful pestilence the monks of Westminster did not escape. Twenty-seven of his brethren Simon Langham followed to the grave,—literally *the* grave, for one deep grave was dug in the cloisters, to which the bodies of all who died of the plague were consigned.

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Among the number, or in addition to it, was the Abbot Byrcheston. The black spots appeared upon him on the 15th of May, and he was a corpse before evening.

One of the last public acts of Byrcheston was, in the April preceding his death, to admit Langham to the office of prior. This officer stood next to the abbot in the choir, the chapter, the refectory, and in everything relating to the discipline of the establishment.* Before the end of May, Prior Langham was elected abbot.

St. Peter's being an exempt abbey, the confirmation of its superior was reserved to the pope; and therefore to receive confirmation Simon passed over to Avignon.

Although a papal confirmation gave the abbot full power, and rendered the benediction a mere form, still the form was observed. On his return home, Simon Langham received the benediction, therefore, from the Bishop of London. Before the reading of the gospel in the office of the holy communion, the abbot elect was introduced; and after responding affirmatively to certain interrogations put to him by the bishop, pledging himself to observe the rule of the order, and to preserve the privileges, while administering the discipline of the house, he lay prostrate with the bishop upon a carpet spread before the altar, while the litany was chanted. After the litany, the bishop rose and pronounced the benediction. The abbot, rising from his knees, now received from the hands of the bishop, the rule of the order, with an exhortation to observe it. He then placed in his hands the pastoral staff.

We have no notice of the previous ordination of Langham, and, if he was not in priest's orders before, his ordination now took place.

The formal admission of the new abbot followed. He

* Decr. Lanfr. § De Priore.

received the convent who had come in procession; and headed the procession, as it went up the nave towards the choir, at the entrance of which a carpet being spread, he again knelt down and prayed. He offered his devotions on the upper step, the rest of the convent praying below. Being now admitted to the choir by the bishop, he took his place, with his pastoral staff in his hand, in the abbot's stall. There the monks, according to seniority, gave him the kiss of peace, first upon his hand, and afterwards, rising, upon his mouth. Returning to the vestry he put off his robes, and held a chapter, at which he preached. The feast of his admission followed. Here the convent received, every man, a gallon of wine, a whole loaf, and three handsome dishes of fish.*

As there were means, through which a monk might, without censure, evade the rule as regards the possession of property, so the black monks had certainly found a method by which their tables might be served with every species of luxury. The rule was, that the monks should abstain from the flesh of four-footed animals; because these were nourished from the earth, and the earth was under the divine malediction.† But the curse did not extend to the air and the water; and birds being created of the same element as fish, were, like fish, fit food for Christian men.‡ Fishponds were, therefore, as valuable to the eyes of a monk, as they had formerly been to the patricians of Rome, or his coverts to a modern sportsman. The monks of Westminster claimed a tithe of the salmon

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* See *Concordia regularum*.

† Many says Stevens, have been of opinion that St. Benedict, having prohibited only the flesh of four-footed animals, had tacitly allowed the eating of fowls. Holstenius is of this opinion, grounding himself on the authority of St. Hildegard and Rabanus Maurus. Mabillon dissents. Stevens, i. 163.

‡ *Le Vœu de Jacob*, 656-658.

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caught in that part of the river which washed their domain. But fish sufficient for the supply of the inland monasteries could not, always or easily, be obtained. Here was a case of necessity; it was necessary, in this case, to dispense with the rule, and if it could be dispensed with in one case, a good-natured abbot could find some other grounds for dispensing with it in another. Meat was always placed on the table for visitors.* The fact, that the rule was not strictly observed in the thirteenth century, oozes out from the statutes of the "reformation of the order of St. Benedict, or Black monks, consecrated and enacted at a general chapter of the sacred order in the year 1249;" for there a rule is laid down to the effect, that brothers, when travelling, should not "eat flesh in public and in solemn assemblies as the seculars, unless they have a dispensation." Always they might eat in private, but not in company without a dispensation. We know that, long before this, the table of the monks of Canterbury was indecently luxurious. We have, in a former volume, quoted the indignant declaration of Giraldus Cambrensis on this point; where, instead of being grateful for the hospitality he had received, he speaks, with abhorrence, of the numerous kinds of fish, roasted, boiled, stuffed and fried, of the dishes exquisitely cooked with spices; of salt meats to provoke an appetite; of wines, piment, claret, and mead; † and, although, just

* Ang. Sac. ii. 309.

† Ang. Sac. ii. 480. Peter of Blois complained of the fastidiousness which was, in his age, exhibited by the religious. "If a religious," he says, "has a quick pulse, an inflamed urine, or a dull appetite, he consults medical men, searches out spices, makes electuaries, and uses no food not seasoned with cinnamon, cloves, and other spices. Such a religious is a disciple of Epicurus rather than of Christ. This," he says, "hurts the head; this the eyes; this the stomach; this the liver; butter is of a convertible nature; beer occasions flatulence; cabbages are melancholy; leeks influence cholera; peas generate gout; beans excite

after a reformation of the order, Simon Langham was not likely to sanction these excesses, yet we know, incidentally, that he was not inclined to enforce the rule of the order, in what related to the refectory, with ascetic precision. The abbot had a separate house, and a separate table; for the expenses of which the whole body were, at least to a certain extent, responsible. Here the abbots often lived luxuriously, and, as in the case of Abbot Byrcheston, surrounded by relations, who were bound by no rule, and who revelled in good-living;—understanding that expression, in a sense very different from that in which it had been employed by St. Benedict. One of the first things done by Abbot Langham, was calculated to make him popular with the brethren,—a refusal to receive from the convent anything by way of gift or presents. Such presents had been freely offered, and without hesitation accepted by his predecessors. They were, probably, regarded as gratuities for not enforcing too strictly the rule of the order. The expenditure of Abbot Langham, though not upon his table, was as we have said, so great as to excite astonishment; and yet he would receive no perquisites, clearly because he had funds sufficient, derived from his private resources. Instead of receiving donations from the convent, he told them, that he considered their portion already too small; and he took care, in the words of Widmore, “that the misericordia,”*—or their better

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phlegm; lentils hurt the eyes; cheese is worst of all; to stand long at prayer weakens the nerves; to fast hurts the brain; to watch dries it.” MS. Roy. lib. 8, f. xvii. The translation is by Fosbrook. “Nullis utuntur salsamentis,” he renders as “salt fish.” It is interesting to find human nature always the same. How many in these days have a list of prohibited food,—anything they dislike,—as long as this.

* The word “misericord” implied stated indulgences and allowances, according to circumstances, of food, drink, wine or beer, or clothing, or bedding, beyond the rule. The place where a feast was kept, distinct from the refectory, was called the misericord. Ducange v. Misericordia.

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than ordinary dishes, like to what are now called in our universities, exceedings, or gaudy-days,—“should be common to all the monks, and not as they had usually done, serve only to feast a few.”*

The power of an abbot, within his abbey, was almost despotic; and of a mitred abbot the privileges were commensurate. In the abbey church he was scarcely distinguishable from a bishop; he wore the dalmatic, the mitre, the gloves, the ring, and the sandals, and he held in his hand the pastoral staff. In parliament, however, the attire of the abbot differed from that of the bishop. There he appeared in his gown, his hood, and his cassock.† In the manors of the abbey, he ruled with full episcopal authority; there, he held his visitations; and when he entered an impropriate parish, the bells rung out a merry peal of welcome. He rode with a hawk on his fist, on a mule with a gilt bridle, his saddle and its cloth of blood colour. His retinue of a hundred horse, equalled if it did not surpass that of a bishop.‡

As soon as Simon Langham was comfortably settled in his high office, he addressed his mind to business. He found the abbey involved in debt, to the amount of two thousand four hundred marks. This was occasioned by the mismanagement and extravagance of his immediate

* Widmore, 90.

† Fosbrook, 155.

‡ Such of the abbatial endowments as were held of the king in chief, or such of the monasteries as possessed an entire barony equal to thirteen knight's fees, had their superiors summoned to attend parliament as spiritual lords. This was for a long period, however, regarded as a burden rather than a privilege. In the year 1264, sixty-four abbots and thirty-six priors sat in the English parliament by virtue of the tenure; in 1278 there were forty; in 1279, seventy-five; in 1307, fifty-six. This number had decreased, in the reign of Edward III., to twenty-seven abbots and two priors, and so continued till the dissolution. Even then, as Sir Edward Coke observes, “the spiritual lords were equal in number to the temporal.” Index Monasticus, iv.

predecessors. Langham generously paid the whole from his private funds—with money, according to Selden, which he saved while a monk. If a monk had money to save, a monk must have been able to possess, under some form or other, property independent of the monastery. He could not give what he did not first possess. Had he paid the debt out of the corporate fund, he would not have been deserving of the gratitude which he challenged, or the thanks which he received. But on this point *satis superque* has been already said. All that we have to add is, that he certainly possessed estates distinct from those of the convent. The estates he possessed as abbot, more than met his professional requirements; and by adding to these his paternal inheritance, while he husbanded all his resources with a generous and self-denying economy, he became one of the most wealthy men of the age. Riches were not to him a mammon of unrighteousness. In an age, when munificence was an episcopal virtue, few prelates were to be found so munificent as he. While the king and the Prince of Wales, with a gallant train of knights and nobles, were establishing the military renown of England, and, by their chivalrous courtesy, were, at the same time, mitigating the cruelties of war; the prelacy of England was encouraging art, and raising architecture to a point of excellence never subsequently surpassed. They were fostering the newly-awakened taste for classical literature, and endowing colleges, not only for secular priests, but for the laity also, now beginning to rival the clergy in the schools of learning.

As prior, and even before, when he was only a monk, the attention of Langham was called to the improvement of the conventual buildings of St. Peter's. Now that he was abbot, he associated with himself a man of congenial taste, learning, and habits of business, Nicolas

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Litlington. Litlington now succeeded him as prior, and was destined to be his successor as abbot. He has shared the fame, which attaches to both names, for the great and important works, at this period, carried on in Westminster Abbey. So united were they in the conduct of these works, that it is difficult to assign the respective share of each, in what was to both a labour of love. We shall not, however, be wrong in attributing the merit of completing the eastern walk of the cloister to Langham; because, although we know, from the Fabric Rolls, that it was erected in 1345, that is, in the time of Abbot Byrcheston, yet that abbot did not take much interest in the affairs of his monastery. If he delegated to Langham the important office of representing the convent at the triennial meeting of the Black monks at Northampton, we may fairly conjecture, that the man who devoted his fortune to the improvement of the abbey, was the real author of the work, which reflects honour on the presidency of Byrcheston. The completion of the cloister itself was certainly commenced in 1350 by Abbot Langham. It proceeded, though slowly, yet regularly, throughout the whole of his abbacy, being completed by his successor, out of funds supplied by Langham. The work is the more interesting, as being one of the earliest specimens of the perpendicular which we possess.*

As a disciplinarian, Langham was one of those, who united firmness of character with courtesy of manner and kindness of heart. He had sagacity to perceive, that the literal enforcement of a rule might be sometimes a violation of its spirit; and that a principle might still be preserved, even where there was some relaxation in matters of detail.

The dress of the Benedictines depended in some mea-

* Scott, Gleanings of Westminster, 42.

sure on the discretion of the abbot, and, according to the nature of the country, whether the climate were hot or cold, the regulations were made. It would seem that, in lax monasteries, the monks, like members of the university at the present time, would discard their distinctive dress, and appear like other persons. This custom was condemned by the statutes of Gregory IX. and Innocent IV.; and Langham was particular in enjoining his monks to wear their religious garments when they went abroad, as well as in the cloister. They were never to appear without the cowl and regular habit. They were not to wear coloured cloaks. They were not to ride with a costly or irregular saddle, superfluously adorned with nails. They were not to wear gilt or silvered spurs, or to have any iron ornament on their bridles. They were not to have fingered gloves, or sharp-toed boots; their shoes were to be with thongs—round, not sharp. They were, in no place, to wear a tunic, or to have coverlets of burnet or other cloth, or skins of wild beasts, or linen shirts; but they must sleep in their clothes and girt. They might not have garments open before and behind. Neither the prior nor any other monk might appropriate to himself a chamber, horses, or furniture, or contend for the use of the same. But, if necessity or business should at any time oblige him to go abroad, he was to be furnished with necessaries by the president.* One regulation strikes us as extraordinary, namely, a prohibition against making bargains in church, except in the time of fairs.†

We are told that, in the judgment of the old monks, Langham brought the house again under such excellent discipline, that he deserved the character of a second founder—a compliment not unfrequently paid to munificent superiors.

Besides the benefactions already mentioned, Langham

* *Constitutiones Capituli Generalis.* Dugdale. † Stevens, 187.

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bought the place of Sergeant of the Cellar, which, says Widmore, 'had become a thing of inheritance.' He also gave, from the abbot's portion, a garden somewhere within the close, 'called the Burgoyne.' There were other places in Westminster with foreign names, such as Petty France, where the French merchants trading with the woolstaplers chiefly dwelt; and Petty Calais, where the staple merchants of Calais had their abode. We are informed by Mr. Scott, in the "Gleanings of Westminster Abbey," that French workmen were much employed, not only in the erection, but also in carrying on the improvements at this time in progress, of Westminster Abbey. Most probably the Burgoyne was the place in which the workmen were lodged.

The ten years devoted by Langham to his duties as abbot of Westminster were the ten happiest years of his life.

Abbot Langham was brought frequently into contact with the king, and his merits did not escape such an acute discerner of character as Edward III. His economical management of the monastic revenues pointed him out as a person well qualified for public office; and on the 21st of November, 1360, Langham was appointed Lord High Treasurer of England.*

In this office he did not continue a sufficient length of time to accomplish any important work; but he showed that his heart was still in his abbey. Eight bucks had been granted by King Henry III. to the monks of Westminster from Windsor forest, and the new treasurer persuaded the king that the assignment of ten bucks to such a noble abbey as Westminster would not be considered exorbitant. The monks had a dispensation, we may presume, to partake of the king's venison, so dearly prized, although the ostensible object of the grant was

* Foss, iii. 452.

only to assist them in showing hospitality to such of the king's lay subjects as were brought within the precincts by business or by their necessities. At a future period, Langham obtained from the king a present more highly valued by those of the monks who were not carnal-minded. It was nothing less than the veritable skull of St. Benedict himself, together with the clothes in which St. Peter the apostle was accustomed to officiate. These were appropriate presents to Benedictines occupying the abbey of St. Peter. The abbey was, indeed, rich in relics. It possessed part of the beam of the manger in which our Lord was born; there were vestments of the twelve apostles; portions of Lazarus, of Nicodemus, of St. Anthony, and little bits of other saints and martyrs; part of the holy cross and sepulchre; the veil of the Virgin Mary; one great tooth of St. Erasmus the martyr; a finger of St. Boniface; a cloth in which St. Alban's body had been wrapped; the head, with the jaws, teeth, scapula, and sundry small bones, of a saint unknown. Besides these there were, though never exhibited, the stones with which St. Stephen was stoned, some of his bones, and some of his blood; some of the ribs and small bones of the Innocents; also two ribs and some of the earth wet with St. Lawrence's blood. The monks exhibited, as the gift of Ethelred, a part of the holy sepulchre, with the seal thereof; dust from Tabor, Calvary, and Olivet, from the place where our Lord washed his disciples' feet, and from the temple; also a little of the rust from our Saviour's knife. Among other things, Edward the Confessor gave some of the frankincense offered to our Lord by the Eastern magi, some crumbs of the bread which He blessed; a little of the wood of our Lord's table; pebbles from the wilderness in which He fasted; a portion of the gaol in which He was imprisoned; great part of one of the nails of the Cross; part of the seamless

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garment, of the sponge, of the lance, and of the scourge ; a portion of the vestment of the Virgin Mary, of the linen she wove, of the window in which the angel stood when he saluted her, of her hair, of her shoes, of her bed ; a few of the hairs of St. Peter's beard and part of his cross, with other fragments of dead men and dead women. The monks of Westminster had received presents from William the Conqueror, but the Norman kings were not profuse in their gifts. Henry III. presented the abbey with some relics relating to our blessed Lord's person, which, out of feelings of reverence, we shall not state. He gave them also the clothes, ivory comb, and blood of St. Thomas of Canterbury. This king also, in the twenty-eighth year of his reign, commanded Edward Fitzodo to make a dragon, in manner of a standard or ensign, of red samit, to be embroidered with gold, and his tongue to appear as though continually moving ; the eyes were to be sapphire and of other precious stones.*

The last was a pretty plaything. The other class of valuables, as they were then accounted, afforded gratification to the order of mind which is now entertained in collecting autographs or salivated post-office stamps. That they should be accepted as authentic, or that credit should be given to the miracles they were said to work, by any but the ignorant, even in the fourteenth century, would have been in itself a miracle to which, a few years ago, we should have refused credence. A few years ago, we should, in speaking of the extraordinary statements made with respect to relics, images, and certain other marvels, have predicated deception and hypocrisy on the one side, and superstition on the other. But we have lived to see the time when men, of whose ability and learning, of whose acuteness and honesty, we have no

* Dart's Westminster, 26, 37.

right to entertain a doubt, go out of their way to express their belief in what, at one period of their lives, they would have deemed not only as incredible, but also as ridiculous. A morbid sentimentality may give rise to an unconscious dishonesty of mind, and a semi-conscious determination to be deceived. Men may be self-deceived before they become the deceivers of others. While the seared conscience may permit some persons to believe that deception may be allowable, if the end be to cajole the ignorant and unlearned, through credulity in small things, to an acceptance of the greater mysteries of the gospel; others, less disingenuous, may make it a point of religion, even if they suspect the wires by which a wonder-working puppet may be moved, to abstain from investigation; and, in the absence of investigation, to kneel before the Bambino at Rome, or to raise a shout of joy at the liquefaction of St. Januarius's blood.

Returning now to the history of Langham, we have to remark that the bishopric of Ely was offered to the lord high treasurer in the year 1361, when that see became vacant by the death of Thomas de Lisle. This was on the 23rd of June. In the September following the see of London was vacant by the death of Michael Northburgh, and it was placed at the option of Langham. Having already accepted Ely he declined London. It is not difficult to account for his decision. The chapter of Ely was, and the chapter of London was not, composed of Benedictine monks; and the late abbot of Westminster would feel more at home with the prior and convent of Ely, than with the dean and canons of St. Paul's.

On the 20th of March, 1362, Simon Langham was consecrated in St. Paul's Cathedral, by William of Edendon bishop of Winchester.*

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* Stubbs, 57. Reg. Edendon.

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The activity of Langham's mind is shown by the fact that, while still retaining his civil employments, he threw himself heartily into the duties devolving upon him as a bishop.

In the year 1364 the bishop of Ely, notwithstanding his labours as a statesman, to which we shall have presently to allude, held a synod at Ely. From the acts of this synod we derive some information as to the state of the Church and clergy at this period. The practical character of the injunctions, bearing, as they do, upon religious duty, speaks much in favour of Langham.

“We exhort in the name of the Lord, and strictly enjoin that every pastor of souls and every parish priest know the decalogue, and frequently preach and expound the same to his people.

“Let him know also the seven deadly sins (*criminalia peccata*), and likewise preach to the people that they avoid them.

“Let him know, moreover, the seven ecclesiastical sacraments.

“And let those who are priests know especially what are required for the sacrament of true confession and penitence, and let them frequently teach laymen in the vulgar tongue (*in idiomate communi*) the form of baptism.

“Let each one also have at least a simple knowledge of the faith, as it is contained in the greater and the lesser creed, and in the treatise called ‘*Quicumque vult*,’ which is sung daily at prime in the church.

“In the church let him perform divine service wholly and devotedly, *viz.* the lessons, hymns, psalms, and whatever else is recited in the church, giving a perfect pronunciation of the words, and a careful attention of the mind to the sense of the words, lest (which God forbid), instead of a living and perfect sacrifice, a mutilated or dead sacrifice be offered. Let all pastors of souls and parish priests, when they have finished their divine offices in the church, diligently give themselves to prayer and to the reading of Holy Scripture, that as pertains to their office they may be prepared to give a reason to every one

inquiring of hope and faith, and let them be always intent on the doctrine and operation of Scripture, like the staves in the rings of the ark, that by assiduous reading, as by daily food, their discourse may be nourished and grow fat."

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Some injunctions follow against the marriage of priests, gluttony, drunkenness, and frequenting of taverns. No priest is to carry arms, but he is to have the crown and tonsure befitting his order.

"We have heard also, at which we have no slight grief, that certain priests extort money from laymen for ministering penance or other sacraments.

"We have heard also that certain priests cause their deacons to hear the confessions of their parishioners, which, as it is absurd, needs not admonition, since it is plainly true that to deacons has not been committed the power of binding and loosing, and since the priests themselves only seek thereby leisure and occasion for secular pursuits. Wherefore we strictly enjoin that deacons shall not hear confessions, or impose penance, or administer other sacraments which priests alone are allowed to administer.

"The execrable custom, which used to be observed in certain churches, of making a Feast of Fools, we altogether inhibit by special authority of apostolic rescript, lest the house of prayer become a house of sport."*

The denunciation of the Feast of Fools is an evidence of an improved taste on the part of the people, who began to see profaneness in such proceedings. On the 17th of December, according to Ducange, the inferior members of an abbey or monastery were accustomed, with great solemnity, and with the performance of certain religious ordinances, to elect an abbot of fools. In cathedrals a similar ceremony was observed by the minor canons and other members of the establishment,

* Wilkins, iii. 59.

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on Innocents' day; the difference being, that they elected a bishop of fools. Immediately after his election, the fool elected was carried in procession to the church. As he entered, all rose to show him respect; the lord bishop himself, if present, did him homage. A *Te Deum* was solemnly sung. And now the saturnalia commenced. Wine and fruit were given to the bishop of fools. He then began to intone and to sing in the most ludicrous manner, imitating any peculiarities observable in his superiors, and provoking a response of laughter, bawling, hissing, howling, and clapping of hands—in short, of all those noises which the vulgar mistake for wit. The porter ascended the pulpit and preached. The bishop of fools, attended by the minor canons, the choristers, and various members of the bishop's household, then rushed into the city, saluting everybody whom they met. They made for the bishop's palace; and, on reaching it, the bishop of fools presented himself at the window of the great hall, and gave his benediction to the town. At matins, at high mass, and at vespers, the bishop of fools presided for three days, seated on the episcopal throne; and, at Canterbury, on the marble chair. He was in full pontificals, being arrayed in the vestry with a cope, a mitre, and gloves, inferior in quality, though of the usual colour. His chaplain, duly vested, stood by his side, holding the pastoral staff, and having on his head a little cushion instead of the *Birretum*. There was a curious mixture of solemnity and burlesque. He was duly incensed on his entering the church, and on his taking his seat. Before the Epistle and Gospel, in the office of the Holy Communion, were read, the deacon and subdeacon bent the knee before the fool bishop, and received from him the sign of benediction. Service being concluded, the chaplain cried out, "Silence, keep silence." The chorus, replied "*Deo gratias.*" The bishop of fools pro-

ceeded with "Adjutorium nostrum;" and all was done which was usual before the giving of indulgences. Indulgences were then granted by the fool bishop, and he dismissed the assembly with his benediction. Meantime the church and the town were one scene of fun and amusement; the chief amusement being to turn into ridicule all things sacred and serious. The whole proceeding, so far as the church is concerned, seems to us to be a scene of profaneness. But it was similar to the carnival, as it still prevails in some foreign countries; and bishops and archbishops were so carried away by the hilarity of the occasion, that they were found very often heartily to join in it.*

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But the mind of the fourteenth century was taking a more serious turn; and men like Langham sought to put down what was certainly, when viewed abstractedly, an indecency, if not a profanation. We may also surmise that, as a reverence for sacred things diminished, the authorities could no longer tolerate what had been regarded before as an innocent sport.

The generous spirit which influenced Langham as abbot still animated him as bishop, if we may judge from one instance of which we have the record. When he consecrated the new parish church of St. Cross at Ely, on the north side of the monastery, he bestowed on that church the vestments in which he celebrated the Sacred Mysteries, together with all the ornaments; to wit, one

* Ducange v. Kalendæ. Ducange shows that these feasts were first introduced to supplant the ancient Saturnalia. He also shows that, as there must always be a sacred tone of mind in some men, there were, to please them, condemnations of these amusements in every age. In merry England, such sports could not be entirely put down until the triumph of Puritanism, in the early years of the Reformation. See also Du Tilliot's *Mémoires pour servir à l'Histoire de la Fête des Fous qui se faisoit autrefois dans plusieurs Églises*. 4to. Lausanne et à Genève, 1741.

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red chasuble of velvet, broidered with lions of white pearls, with two tunics, one cope, three albs, two stoles and habits of the same sort, one large pall depending from the altar, and one small coverlet to be placed on the altar.*

While he was thus diligent in his diocese, he was at the same time engaged in state affairs, at a time when much public business was transacted. He was, as we have said, appointed treasurer in the year 1360; and in February, 1363, he succeeded William of Edendon, the Bishop of Winchester, in the office of Chancellor.†

Notwithstanding the feeling now rising in the country, that ecclesiastics should devote themselves to their spiritual duties, the ministry, if we may so speak, which was formed under Simon Langham, consisted for the most part of persons who derived their chief emolument from the Church: Lord High Chancellor, Simon, bishop of Ely; Keeper of the Privy Seal, William of Wykeham, archdeacon of Lincoln; Master of the Rolls, David William, parson of Somersham; Masters of Chancery, ten beneficed priests, civilians; Chief Chamberlain of the Exchequer, William, dean of St. Martin's-le-Grand; Chancellor of the Exchequer, William Askeby, archdeacon of Northampton; Clerk of the Privy Seal, Richard Chesterfield, prebendary of St. Stephen's; Under Chamberlain of the Exchequer, Keeper of the Seals, John Newnham, parson of Fenny Stanton; Surveyor of Works, John Nowsly, parson of Harwich.

The year 1363 was a memorable year. There was a national jubilee in honour of the king, who had now completed the fiftieth year of his age.‡ Three kings were in England, each compelled to acknowledge the greatness

* Ang. Sac. i. 663.

† Foss, iii. 451.

‡ Knighton Col. 2627.

of the country and the glory of its king. The king of Cyprus was here soliciting the aid of England against the infidel, and secretly bewailing the cruel policy which had doomed to destruction that gallant army of gentlemen which had long and valiantly maintained the Christian cause in the East—the ill-used and persecuted Knights of the Temple. David, king of Scotland, was here, no longer a captive, but humbly pleading for a reduction of his ransom. John, king of France, was a prisoner in England.

In the festivities of the occasion the lord chancellor participated; but the period of Langham's chancellorship was a period of political activity, as well as of public excitement. He opened the parliament of 1363.* The parliament was summoned for Friday the 6th of October; but was prorogued till the Friday following, on account of the thin attendance of members. At that time it met in the white chamber of the palace. The chancellor informed the two houses that the king was desirous of knowing the grievances of his subjects, in order that he might redress, by the advice of his parliament, any wrongs done to Holy Church, and reform all enormities, especially as to the manner of exhibiting petitions.

The custom then was for the government to propose, and for parliament to accept or to reject, the measures offered to their consideration. We conclude from the measures now proposed, that Langham's government was desirous of conciliating the goodwill of the people, and that there was an endeavour to unite with certain principles of free trade, which prevailed in the royal mind, a concession to the popular clamour for protection. On the Wednesday after the opening of the parliament, an act was passed that no man should export woollen cloths,

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* Rot. Parl. ii. 275.

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sheep, butter, cheese, malt, or ales. Two exceptions were made: one in favour of the German merchants, who were permitted to export worsteds and straight cloths; and the other in favour of the merchants of Gascony, who were permitted to export woollen cloths to the value of wines imported.

This measure evidently gave satisfaction; as did the thriving condition of the country, and the glory which had accrued to it from the brilliant successes of the king. The Commons humbly prayed that the king would enjoin the archbishops and other clergy to put up their prayers to Almighty God for the prosperity of the king, in order to the peace and good government of the land, and for the continuance of the king's good intentions to the Commons.

Among the proceedings of parliament, two are worthy of special notice. We observe the increase of power among the Commons in the fact of their petitioning that they should have a right to nominate the justices of the peace, and that their nominees should be irremovable. Such a measure could not, of course, be sanctioned; nevertheless the king was advised so far to concede, as to permit the House of Commons to name able men, from whom the king would select whom he pleased. The other circumstance worthy of note occurred when the chancellor, in the presence of the king and both houses, declared that the king intended to put in force the statute of apparel. The chancellor asked whether the houses would proceed to act in such matter by way of ordinance or of statute. The answer was, by way of ordinance, in order that they might amend the same at pleasure. "From this it would appear," says Tyrrell, "that an ordinance was regarded as a temporary, a statute as a standing law."*

* Tyrrell, ii. 653.

Although Urban V., who was now pope, was born a subject of the king of England, and although his attachment to England made some persons suppose that he was an Englishman, yet the papacy was so entirely under the control of the French king, that it was determined by the government, of which Bishop Langham was the head, to enforce more strictly the statute of provisors. It was a timely warning to the new pope of what he was to expect; and a practical hint that if, like his predecessor, he deferred too much to France, he might, peradventure, lose England. But it required some consideration to decide on the proper mode of proceeding. The government offices were filled by ecclesiastics, and the Bishop of Ely had reasons of his own for not wishing to be conspicuous in a measure which could not fail to excite much anger at Avignon. It was determined, therefore, to save him from this difficulty and in order to give greater weight to the transaction, that the business should be conducted by the king himself.

Under these circumstances, a parliament was summoned to meet at Westminster; and it met, accordingly, on the octave of St. Hilary, the 21st of January, 1365, in the painted chamber. The Bishop of Ely, as chancellor, opened the proceedings. He took for his text Psalm lxxxix. 14,* "Justice and judgment are the habitation of Thy throne: mercy and truth shall go before Thy face." He then went on to say: "Our Lord the king having seen that God, in His infinite mercy, hath crowned his arms with success, and hath given him grace to do righteously; that He hath blessed the king with loyal subjects, both among the great men of the land and among the Commons, who by personal service, by their grants of money, and by their prayers, have been the salvation of himself and his possessions, and enabled him

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* Rot. Parl. ii. 283.

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to assert and defend the rights of his crown; he thanks these his subjects with all his heart, and prays for the continuance of such zeal and loyalty in time to come. He entreats his nobles, the great men and the commons, to aid him in the measures necessary for the protection of the realm and for maintaining the rights of his crown, by their council and advice, and to assist in the administration of the laws made in his time and in the time of his ancestors. The king also wills that those who are aggrieved in any matter shall bring their petitions before parliament, and promises that they shall have suitable answer and remedy. To receive such petitions, he appoints the clerks of his treasury, and he will assign to divers of his prelates and other great men the office of hearing them and of determining upon their merits."

A speech from the throne dealt in generalities in those days, and we cannot say that, in this respect, the lapse of ages has caused any great difference. Receivers, triers of petitions for England, Ireland, Wales, and for Aquitaine and other foreign countries, were then appointed according to usual form and custom. The reference to foreign countries, that is, to the king's possessions on the continent, shows that parliament had not yet reached, in form, the position it was beginning to approach—that of being the great council of the nation, convened to legislate for the nation; it was the council of the king, to advise him in any matter which was to him of personal concern.

When the speech of the chancellor was concluded, "les communes des countees, citees, et burghs demorants en pees en la dit chambre de peynte de commandement le roi," the prelates, dukes, earls, barons, repaired to the chambre blanche. There they were addressed by the king. He complained that citations and false suggestions were continually made to the pope, with reference to matters determinable in the king's courts; and that pensions were

still obtained from the court of Rome (la court de Rome), to the damage of the king and other patrons in his realm, of churches, chapels, cathedrals, colleges, hospitals, and other benefices. He pointed out, how this was an insult offered to the laws of the land, whilst it derogated from the dignity of the crown, and had not only withdrawn treasures from the country directly, but, by impoverishing the Church, had rendered it impossible to sustain, in suitable grandeur, the Divine service; while it seriously impeded such good works as hospitality and almsdeeds. He called upon the said prelates, dukes, earls, and barons, on whose loyalty and wisdom he relied, to devise some measure for the correction of the grievance, and the sustentation of the laws and customs of the realm.

The Commons were then summoned to the white chamber. There the substance of the king's address was repeated to them—it is presumed, by the chancellor.

On the Saturday following an act was passed, repeating and rendering more stringent the provisions of the Statute of Provisors and of Præmunire. Very strong language was, on this occasion, made use of with respect to the pope and his pretensions, which it was thought advisable to modify before the act was placed on the statute book.*

It was supposed that the papal authorities might endeavour to annoy the prelates on account of their voting for this act, which was passed unanimously. Another act was, therefore, passed for the protection of the lives and properties of the prelates and the other lords of parliament.

The gauntlet was now thrown down to the new pope. Whatever may have been his own predilections, Urban V., though a good, was nevertheless a weak, man, and his court was composed of Frenchmen. The French cardinals regarded the king of England's conduct as a chal-

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lenge, and they met it. The pope addressed a letter to the king of England, reminding him of the tribute to which King John had subjected the English crown. He demanded the payment of a thousand marks a year; and, as no tribute had been paid for thirty-three years, he required that the arrears should be transferred to the papal treasury. Many historians, when they record the demand now made at a time when France was in the lowest grade of humiliation, when the papacy was almost powerless, and when England had been raised by the victories of Cressy and Poitiers to the highest pitch of military glory, are inclined to regard this act as one of insanity rather than of folly.

But we must take all circumstances into consideration. King Edward had asserted, by reference to the history of the country, the right of himself and his nobles to the patronage of bishoprics and other benefices endowed by their ancestors. It was not folly in the pope to reply, "If you argue from the past, I shall put in my claim to the tribute awarded by your ancestors to my predecessors, and which you have neglected to pay." It may have been regarded as opening the way to a compromise: "If you will modify your claim, I will modify mine." There was no folly in this, though of the amount of folly to which impassioned men may be hurried, it is impossible to form an estimate. The French cardinals, with their angry passions aroused, were only too well pleased to offer an insult to the conqueror of their country, by reminding him of a period in our history from which the English mind revolts; when this country was in a position as humiliating as that, to which France had now been reduced by the invincible Edward and his heroic son. They knew, and Edward and his ministers felt, that the insult lay in the fact implied by the payment of the tribute; that the kingdom of England and the lordship of Ireland were held in

fee of the successors of St. Peter ; that England, though it had conquered France, was not what France was, an independent kingdom. Men of little minds are often regardless of consequences in their wrath, so long as they can give a momentary annoyance, or offer the slightest insult to opponents.

The demand, however, under the circumstances, did not afford much trouble or annoyance to Edward or to Langham. They saw that the pope had taken a false step ; and that by it their hands would be strengthened. The whole nation, including the clergy, was, with a minority too insignificant to be regarded, anti-papal. The government took no steps before the meeting of parliament, but merely prepared the way for a burst of indignation, by permitting it to be whispered that this insult had been offered to the king and his people.

The parliament met at Westminster on the 30th of March, 1366. The prelates and great men—"les prelatz et grantz"—assembled in the white chamber, the Commons in the painted chamber. On the second day of meeting the Commons were summoned to the white chamber, and the Bishop of Ely, as chancellor, declared, in the king's name, the reason why the parliament had been convened. He stated that the king, having appointed his eldest son to be his lieutenant in Aquitaine, and the Duke of Clarence, his next son, to act in the same capacity in Ireland, was enabled to devote his whole attention to the affairs of England.*

The usual preliminaries in appointing triers and receivers of petitions, or, as we should say, in the formation of committees, were then gone through.

The next day the king attended in state, at the white chamber. The Commons were summoned. The Bishop

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of Ely rose: he had already informed them, in general terms, of the occasion of their meeting, and it was now the king's pleasure, that he should lay before them the special objects upon which their advice was required. The king had received information that the pope, on the ground that King John had done homage for the realm of England and the land of Ireland—"par le roialme d'Engleterre et la terre d'Irlande,"—and had stipulated in acknowledgment of this homage the annual payment of a thousand marks, intended to proceed against the king and his realm to recover the said service and tribute. The king prayed the prelates, dukes, earls, and barons to give him their counsel and advice as to the measures to be adopted, if the pope carried his threat into effect and a suit should be commenced.

The prelates requested permission to debate the matter by themselves, and promised to announce their decision the next day. The next day the prelates were prepared with their answer, and the dukes, earls, barons, and grandees, "grantz," concurred in the determination—that neither King John, nor any other king, had any power to place himself, his realm, or his people under such thralldom, without their assent and accord. The matter was laid before the House of Commons, who affirmed what thus became the unanimous decision of Church and State. It was then solemnly enacted, by the three estates of the realm,—the Clergy, the Peers, and the Commons,—that, if by process or in any other way the pope should attempt to enforce his assumed but invalid claim in this respect, he should be resisted and withstood by the king and his subjects with all their puissance.* This

* The Rolls of Parliament contain a mere dry statement of what was done in this parliament. That there was a debate is certain, but the speeches given by Wiclif, in the "Determinatio quædam Magistri Johannis Wycliff de dominis contra unum monachum," are evidently

was carried amidst the acclamations of all parties with a unanimity and patriotic excitement which, reported to the pontiff, convinced him that there was that in the English character which made it unsafe to rouse it to anger.

The king, to mark his own sense of indignation, prohibited the payment of the Peter pence.*

The following day petitions were received against the mendicant orders, from the Universities of Oxford and Cambridge; and counter petitions, on the part of the friars, against the Universities. It was determined, by act of parliament, that no scholar should be received into any of the four mendicant orders under the age of eighteen years; that the friars should not produce any new bull from the court of Rome, or take advantage of any old one, in their controversies with the Universities; and that any future difference between the parties at issue should be decided in the court of the king, without further appeal.†

The pope had recourse to no ulterior measures against the king. This circumstance confirms the view already taken, that the demand was employed merely as a reprisal or an insult, without any expectation of a result different from that which actually took place.

This controversy, however, obtains importance from the fact, that it was through it that the celebrated John

not a report of what actually occurred. Though he introduces them as being those "*quas audivi in quodam concilio a dominis sæcularibus,*" yet, from internal evidence, they are merely the form in which he thought fit to express his own opinions. The document is valuable, however, as it shows that a debate did actually take place, and it is interesting as expressing the judgment taken against the pope on purely feudal grounds. This tract impresses the mind more forcibly with a feeling of the writer's intellectual vigour and logical precision, than any other of Wiclif's publications with which I am acquainted.

* Barnes, 670, from MS. Vet. Angl. in Bibl. C.C.C.C. 232.

† Rot. Parl. ii. 290.

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Wiclif was first brought into public notice. His character was well known as a divine, and he ranked high as a schoolman. In the controversy between the University of Oxford and the mendicant orders he had taken a conspicuous part, and was ever afterwards the great opponent of the friars, and the strenuous supporter of the secular clergy. His pen was now employed in defence of the decision of parliament against the papal claims.

Although the proceedings in parliament had been unanimous, the superior clergy cooperating cordially with the lords temporal and the Commons, yet there was one person found in England—whether an Englishman or not does not appear,—who maintained opinions, not then very common, which have of late years been called Ultramontane.

Nothing can better prove the unpopularity of the cause which he advocated, than the circumstance that he dared not reveal his name. This man published a tract in which he maintained the supremacy of the pope; and he boldly asserted that to the pope the sovereignty of England, by failure of the annual tribute, had, on feudal principles, been legally forfeited. He challenged Wiclif to come forward and refute his proposition. Nobly did Wiclif accept the challenge; and, in a work to which reference has been already made, he displayed the ability of a sound logician, the learning of an educated lawyer, together with zeal for the Church of which he describes himself as a humble and obedient son, proposing to affirm nothing which could be supposed to damage her cause or offend the ears of the devout.*

* The general feeling at this time was, that the pope had the suzerainty of the Church, and that, like other suzerains, he was ambitious to exceed his legitimate authority. It is on these grounds that Wiclif, at this period, opposed him. The advance from one extreme to the mean in Wiclif was gradual; his descent from the mean to the

Before this publication, John Wiclif had been appointed one of the chaplains to the king. In this very work he describes himself as the king's peculiar clerk. He was, as will be observed, appointed to a post of honour near the king when Simon Langham was the chancellor—and as such the chief adviser of the crown. The management of the royal chapel, and all that pertained to it, rested with the chancellor. This is an important fact, to be borne in mind by those who do not believe that any controversy, at any time, existed between Langham and Wiclif. During the early period of Wiclif's career, which corresponded with the concluding years of Simon Langham, their political principles were the same. They were both of them opposed to the usurpations of the papacy; and a monk was as much opposed as a secular to the mendicants.* Although Langham would certainly not have agreed with Wiclif, when that reformer went to the root of the evil, and impugned the received doctrines of the Church; he probably did go quite as far as Wiclif

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other extreme was also gradual. The biographers who seem to think that he was born an ultra-protestant, on the model of the nineteenth century, are only surpassed in their presumption by those who would claim for Wiclif the principles of the Church of England since the Reformation. A great man is damaged by his worshippers, who, in seeking to deify him, convert him into a "faultless monster."

* This is mentioned in corroboration of the statements made by Canon Shirley, in his masterly note on the two John Wiclifs, *Fasciculus Zizaniorum*, 513. His argument to show that the reformer was not the Warden of Canterbury Hall—that the Warden of Canterbury Hall was another man, John Wiclif of Mayfield—appears to me to be so conclusive that I assume the case to be settled. It relieves the reformer from the suspicion that, in his hostility to the pope, he was influenced by personal feelings. That Wiclif's temper hurried him, occasionally, into worse than indiscretions, no one but a hero-worshipper will deny. But, in all the authenticated actions of his life, his character stands forth noble in its simplicity, and in an honesty of purpose which raised him far above motives merely selfish.

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had himself gone, at this period of his life. He was anxious to enforce the discipline of the Church, and to adopt measures for the restriction of pluralities and of non-residence. A moral man himself, he was stern in his rebuke of immorality on the part of the clergy; and would be attracted to Wiclif by the purity of the reformer's life.

On the death of Archbishop Islip, the primacy was offered to William Edendon bishop of Winchester, but he declined it. He is stated to have said, with reference to the dilapidated condition of the estates belonging to the archbishop, that "although Canterbury had the highest rack, yet Winchester had the better manger:" a medieval joke is worth preserving. But it is annoying to hear moderns reviling the aged and infirm bishop for the pleasantries, as if it betrayed a sordid mind; forgetting that, if the manger of Winchester was good, its bishop was one of the most munificent of men.

The offer of the primacy to the Bishop of Winchester, when Langham was chancellor, is sufficient to show that the latter was not ambitious of the higher honour. But when the Bishop of Winchester declined the office, the Bishop of Ely did not think it necessary any longer to shrink from a position which he was called upon by circumstances to occupy.

The king issued his *congé d'élire*, nominating the Bishop of Ely to the electors. The chapter agreed to postulate the royal nominee. The king's will was signified to the pope. The pope obeyed, and the usual bulls were issued. On the 4th of November 1366, Simon Langham received the pall at St. Stephen's, Westminster, from the hands of John bishop of Bath.* On the following day, the 5th of November, in presence of the king, at his palace of Westminster, the archbishop solemnly renounced every

* Stubbs, 140.

expression in the papal documents which militated against the royal prerogative, or infringed upon the laws lately enacted.* On the 25th of March the new archbishop was enthroned at Canterbury, with the usual magnificence,† rendered the more gratifying to the people by contrast with the curtailment of the ceremony and festivities on two former occasions.

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The archbishop's hospitalities were renewed at the Manor-house at Lambeth, on the 10th of October, 1367. On that day he had consecrated William of Wykeham to the see of Winchester; and on that day the hall of the archbishop's residence was filled with guests. Of that hall there are no remains, the site being occupied by the more recent fabric erected by Archbishop Juxon. We may be sure that on this day Nicolas Litlington, abbot of Westminster, had crossed the water to visit the primate; and we may feel equally sure that when Simon of Langham, William of Wykeham, and Nicolas Litlington were seated at the same board, the conversation was not confined to those affairs of State in which two of them were bearing a prominent part; but that it was chiefly directed to the splendid works in progress at Westminster and projected at Winchester. We may imagine how the genius of Langham and Litlington, great as it was, appeared insignificant when they listened to the plans which had already suggested themselves to the mind of William of Wykeham. They discussed the merits of the perpendicular style of architecture which Wykeham was instrumental in introducing, and of that new arrangement of those important members of a window of many lights, —the mullions and tracery lines.

* Ang. Sac. i. 663. The words are—"renunciacione pura et spontanea per ipsum facta de verbis præjudicialibus in Bullis suis contentis."

† Ibid. "Honorifice sicut decet."

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When Simon Langham was translated to the see of Canterbury, the following clever verses were put into circulation. They may be read as two hexameters, or as rhymes.

Lætantur cœli, quia Simon transit ab Ely,
Cujus in adventum flet, in Kent, millia centum.

Notwithstanding his duties as a statesman, we have seen that Langham did not neglect his diocese. In every situation of life, we find him deferential to his superiors, courteous to his equals, and kindly considerate of his inferiors. We may, therefore, regard the verses either as a witticism intended simply to amuse the idle; or we may treat them as the splenetic effusion of some disappointed candidate for his favour and patronage. How bitter, and how unjust, such persons may be, every patron is well aware. Every great man must give some offence; if he prefers one man out of ten, he disappoints nine, who regard themselves as ill used, and their merits as neglected. History, which is in some respects enlightened by contemporary libels, will be entirely falsified, if these are not checked and moderated by bringing them to the test of facts. We must oppose to this libel the testimony of the monks of Ely. They describe their bishop as a venerable father, and as a discreet and provident pastor.* The

* Ang. Sac. i. 164. They also say that he was preferred by Urban V., moved "fama bonitatis ejus et scientia circumquaque volitante." Parker, no mean authority, says: "Hic Archiepiscopus in tota vita, omnibus quæ gessit muneribus, non minus providens atque sagax quam beneficens et liberalis fuit." Dart, who is followed by Mr. Foss, says of this primate, that "he was affable, humble, temperate, and very munificent." It is necessary to mention these things, for Lord Campbell, as it would seem from mere caprice, speaks in disparagement of Langham. Lord Campbell says he was ambitious, and in Lord Campbell's eyes this is a grievous sin; free, of course, from ambition himself, he never loses an opportunity of denouncing it. The following extraordinary passage, however, may serve to show that Campbell had not examined this por-

verses, therefore, did not express the sense of the diocese in general. At the same time, Langham's attachment to the monks may have caused him to be unpopular with the seculars. It is not, however, my concern to vindicate the conduct of Langham. The reader will judge from the facts of his history, and they certainly make an impression on my own mind in his favour. I do not find any other evidence of his having been unpopular; and, whatever may have been the feeling on his first arrival at Canterbury, it is certain that, after he had resigned the see, his restoration was desired.

He met, at this time, with an accident which was regarded, says Birchington, as an event of ill omen. Immediately after his taking possession of the see of Canterbury, like a good man of business, he visited all his manors, and arranged all matters among his tenants with great prudence and care. While thus engaged, he was journeying towards Otford, one day, on the king's high road, when the horse of his cross-bearer stumbled. The rider was thrown to the ground. The man's life was saved, but the cross itself was "terribly shattered," though it was soon repaired.

The archbishop, soon after his consecration, resigned the Great Seal, and his friend, William of Wykeham, was appointed Lord Chancellor. The record of the proceedings does not exist.* But, although the Bishop of Winchester is mentioned as Chancellor on the 16th of September, yet the archbishop opened the parliament

tion of history with the slightest care :—" Among those with whom he quarrelled at *Canterbury*, was the famous John Wiclif, then a student at the college *there* erected by Islip, his predecessor. The ardent youth being unjustly expelled, and finding no redress for the wrong he suffered, turned his mind to church usurpation, and prepared the way for the reformation which blessed an after age."

* Foss, iii. 434.

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which met in 1368.* Writs of summons were issued for the first day of that month, but, as many members had not yet arrived, the archbishop, in the king's name, thanked those who had shown their zeal by an early attendance, and adjourned the parliament for three days. On Thursday, May 4th, the king being present, the archbishop, as prolocutor, informed the parliament that the king yielded unto God most humble and hearty thanks for having given him the victory over all his enemies; as also for the peaceable and flourishing condition of the realm, and for the loyalty of his subjects, who were always ready to render him personal service, and to assist him by their property. These blessings he desired, as much as in him lay, to continue, or rather to increase. That in this resolution he might better succeed, he had at this time summoned his parliament, to confer with them on matters relating to the premisses.

The Prelates and "Grantz" were ordered to assemble in the "Chambre Blanche," and the Commons in the "Petite Salle." On the Friday following, there was a debate in the House of Lords on the offer of peace made by David Bruce, king of Scotland, on condition of his being discharged from homage. The proposal was rejected with indignation by the lords. It does not appear, that the lower house was consulted upon the subject.

Thus happily terminated the political career of Simon Langham.

Advancing years had by no means diminished the activity of the primate. Almost immediately after his appointment, he commenced a visitation of his province. In London, he terminated a dispute concerning tithes between the citizens and the clergy, the Bishop of London fully concurring in the arrangement. He arranged that

* Rot. Parl. ii. 291. Parry, 130.

a payment should be made to the clergy, after the rate of a farthing for every ten shillings rent of the houses, on each Sunday and festival of the year which had a vigil. This scheme of Langham's was confirmed by his successors; and the tithes were paid in this manner until the latter end of the reign of Henry VIII. At that time, by a decree of the archbishop, the chancellor, and the privy council, confirmed by parliament, the payment was settled at two shillings and sixpence in the pound.* The archbishop, acting under the influence of a public opinion which affected the mind even of Urban V., endeavoured, if not to suppress, yet to diminish the number of pluralities; making a distinction between benefices with, and benefices without, cure of souls. He found many of the clergy endowed with twenty benefices, and sometimes with a greater number, to which cure of souls was attached.

Whether the Constitutions, published afterwards in the name of Langham, be genuine or not, is a question not easily answered. It is not necessary for us to investigate the subject, for in these Constitutions there is nothing worthy of special notice. Scotales or drinking-bouts, in which the prize was given to the man, who approached nearest to the condition of brutal intoxication, without being laid prostrate beneath the table, were still common, and were too often encouraged by the clergy. The archbishop, as his predecessors had done, denounced the evil custom, and advocated the cause of temperance. He discovered in the course of his visitation, that the most crude opinions were prevalent in various parts of the country, and especially among men of some reputation for learning. Langham, with his business-like habits and clearness of perception, arrayed the heresies he had detected under

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* Widmore, 95. Wharton de Episc. Londinens. 86. Wilkins, iii. 62.

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thirty heads. Every earthly pilgrim, it was asserted, whether adult or infant, whether Saracen, Jew, or pagan, yea, even he who should die in his mother's womb, would have a clear vision of God before his death, during which vision he would have a free choice accorded to him of being converted to God; if he should then be converted unto God, he would be saved; if not, he would be damned. Sin committed during this clear vision, on account of a perverse choice, could not be atoned for or forgiven—"non est remediabile nec remissibile;" even the passion of Christ cannot make satisfaction for such an offender—"si intelligatur de clara visione viatoris." An adult may be saved by the natural law—"de lege communi salvati"—without either actual or habitual faith in Christ. Of the sacrament of baptism it was said that it is not necessary to the salvation of any who die in their infancy; and with respect to infants who die after baptism, Catholics might doubt whether they be saved or damned. It was seen how closely connected is infant baptism with the doctrine of original sin, for it is added that it was impossible that any man could be damned for original sin alone. Man could only be condemned for actual sin. For every sin committed by believers, it was contended that there is a sufficient remedy in *nature*, by which the pilgrim might return to the condition in which he was before he committed sin. No one could be justly deprived of his heavenly inheritance for sins committed without a clear vision of God. Nothing could be sin merely on the ground of its having been prohibited—positive law was here set aside. The Father, it was asserted, is finite in Divine operations, the Son is finite in Divine operations, and the Holy Spirit alone is infinite. It was, moreover, affirmed that God cannot annihilate anything; nor can He punish any one immediately, because He cannot be a tormentor—"non potest esse tortor." In the 24th, 25th, and 26th articles

it is maintained, that Mary, the blessed Mother of Christ, and all the other saints—our Lord only excepted—are still liable to sin and damnation. The eternity of future punishments is strongly denied. It is affirmed that those who are damned in hell and the devils themselves are capable of salvation, that they may repent and be eternally happy; that God Himself could not create a rational being who should be impeccable.*

It would appear, that they who propagated these doctrines had formed themselves into a school, though not into a distinct sect. They were merged, probably, into the Lollards afterwards; but they were, at this time, few in number. It is curious to find the Church, in the fourteenth century, disturbed very nearly in the same manner as in the nineteenth. These heresies chiefly prevailed among men of thought and learning, and therefore Langham addressed a letter to the University of Oxford, requiring that no one should be permitted to defend these propositions in the schools. At Oxford, the erroneous teaching was traced to the obnoxious mendicants, who were “originally instituted to root out, by their preaching and holy living, the various heresies as they should arise in the Church.” This circumstance is sufficient to show that such teaching had not been countenanced by John Wiclif, the leader of the party most opposed to the friars.

The intellectual excitement was not confined, however, to the educated classes of society. The archbishop discovered that demagogues were at work among the labouring classes; and, as has been so frequently the case in English history, a projected political movement was masked under the form of religion. He selected for censure one

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* *Mandatum Simonis Langham de publicando damnationem certorum articulorum v. idus Novembris, A.D. mcccclxviii. Ex Reg. Langham. fol. 70.* They are printed in Wilkins. In the translation given above they are abbreviated.

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man especially, John Ball, who will come more prominently before us hereafter. For this reason, and because it shows the manner of dealing with such characters as John Ball in that age, the mandate addressed by the archbishop to the Dean of Bocking on this subject, is presented to the reader in a translation :—

Simon, Archbishop, &c., to the Dean of Bocking, in our immediate jurisdiction, and to other all and singular rectors, vicars, and parochial chaplains, greeting, &c. It has come to our hearing, through public report, that one John Ball, pretending that he is a priest, within our jurisdiction aforesaid, preaches manifold errors and scandals, both to the detriment of his own soul and of the souls of those who favour him in his proceeding, and to the manifest scandal of the universal Church. We, indeed, being unable to tolerate healthfully a proceeding of this kind without injury to our conscience, intrust to you, and command you, conjointly and severally, strictly enjoining that all and singular those who are under the jurisdiction of our said deanery, according to form of law, you effectually admonish, and each of you, as much as in you lies, warn effectually, peremptorily inhibiting them from presuming, any one of them, to be present at the preachings of the said John, under penalty of the greater excommunication against all who do not canonically obey these admonitions aforesaid, through their negligence and fault, which we desire that they may thus *ipso facto* incur. Those who object or offend, if you find any such, or any you discover acting in this way, you are to cite or cause forthwith to be cited, that they appear before us, on some certain day of trial, which you will see is to be appointed wherever we may then be, in our city, diocese, or province of Canterbury. You are also to cite, or cause to be cited forthwith, the said John Ball to appear personally before us on some certain day of trial, which you will see to be appointed for him, to make answer on certain articles and enquiries touching the correction and the safety of his soul, objected to him by our office, and if need be personally swear to speak the truth and obey the law in all things. And what you may have done in the matters aforesaid, you are to certify to us

in words, on the day and at the place, by your letters patent, or let him certify by his own, containing the series of these, and the names and surnames of the citers.*

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At the same time, the primate addressed a mandate to the Dean of Bocking, with a view of defending the clergy from the mischiefs occasioned by the irregularities of the friars. The friars caused infinite confusion in various parishes, setting up altar against altar, preaching against the parochial clergy, and, in fact, acting the part of dissenters. He desired that they should not be permitted to officiate in any parish, unless they exhibited a special licence to do so, either from the pope or from the archbishop.†

While Langham was employed in condemning heresy, he was encouraging a superstition, which, if not heretical at that time, would certainly be condemned by the present generation. He authorised and enjoined a hymn in honour of St. Catherine, in which she is invoked by prayer. The hymn is too long for transcription, but is, as a composition, not without merit. Why he should, at this especial time, have selected St. Catherine, virgin and martyr, for the particular devotion of the English Church, it is not easy to surmise. The name of Catherine of Sienna may already have reached England, and have suggested this attention to her namesake; but of the St. Catherine whom Simon Langham desired to honour we know little. The name is still preserved in a species of firework, the Catherine wheel being so designated as representing the instrument of torture upon which the virgin martyr suffered. She was placed upon an engine made of four wheels joined together, and stuck with sharp-pointed spikes; so that when the wheels began to move it was expected that her body would be torn asunder. Her acts state that, at the first stirring of the terrible engine, the

* Wilkins, Ex Reg. Langham, 64.

† Ibid.

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cords were broken by the invisible power of an angel, the engine fell to pieces, the wheels being separated one from the other. This the firework represents. Her translation, also, is familiar to us by a beautiful picture of which many engravings have been made. Her martyrdom took place in the fourth century, and her body was discovered by the Christians of Egypt in the eighth; it is said then to have been carried by angels to the great monastery on the top of Mount Sinai.*

One of the first acts of Langham, as archbishop, was to require the clergy to be prepared to arm their tenants and retainers that they might act as volunteers, in time of war, in the event of any invasion of this country.† The last act of his episcopate was to call upon all men to unite in prayer, that the pestilence, now reappearing in the country, might be averted or cease. He desired that processions should be made on the fourth and sixth days of every week, with the accustomed singing of the Litany, enjoining each clergyman to add such suffrages as might be divinely suggested to his mind. To those who attended the processions he granted an indulgence of forty days, "trusting in the mercy of Almighty God, and the merits and prayers of the Blessed Virgin Mary, His Mother, the holy Thomas, the glorious martyr, and all the saints."‡

* Butler in loc. Jos. Assemani in *Calend. Univ.* ad Nov. 24, v. 375. Falconius, archbishop of San Severino, quoted by Butler, speaks of the translation as follows:—"As to what is said, that the body of the saint was conveyed by angels to Mount Sinai, the meaning is that it was carried by the monks of Sinai to their monastery, that they might devoutly enrich their dwelling with such a treasure. It is well known that the angelical habit was often used for a monastic habit, and that monks, on account of their heavenly purity and functions, were called angels."

† Wilkins, iii. 66.

‡ Ibid. iii. 74.

There is one transaction in Langham's life which has obtained more prominence, than it deserved, from a blunder made by those historians, who held a brief for Wiclif, and by the biographers of the great reformer. They have confounded Wiclif, the Master of Canterbury Hall, with the object of their hero-worship; and they can scarcely find language strong enough to express their indignation against the primate who, as they assert without adducing any proof to confirm their assertion, did him wrong. We have already alluded to this subject, and we have shown, that there is more reason to suppose, that Langham was friendly to the reformer than otherwise. He was the keeper of the king's conscience when Wiclif was made the royal chaplain; and Wiclif had not yet propounded any doctrines, or evinced any tendency to conduct which Langham would condemn. But, be this as it may, there was nothing really to blame in Langham's conduct as to Canterbury Hall. He may have been influenced, and perhaps he was, by a narrow party spirit. He was a monk, and a favourer of monks; hostile, like Wiclif, to the mendicants, but preferring a monastery to a college. But it is to be remembered, that his judgment was confirmed upon an appeal; and to assume that the papal courts were already hostile to Wiclif, or that they must, by the fact of their being papal, be corrupt, is a mere begging of the question. Corruption enough there was in all courts; but, unless there is some strong temptation to corruption, which cannot be here supposed, the *tendency* of a court of justice is to decide justly. They could not exist, if this were not the case. Injustice is the exception, not the rule, in the worst cases.

Archbishop Islip had founded Canterbury Hall. Monks and seculars were to live together, as he hoped, in peace. He placed a monk over the establishment; this monk mismanaged its affairs. Islip deposed the monk, and

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nominated Wiclif of Mayfield as his successor. Archbishop Langham was called upon, as visitor, to restore the first warden, Woodhead. It was contended, that Woodhead had not been statutely removed, and that the founder was in his dotage when he made the change. The question would turn on two facts. Founders generally reserved to themselves the right to make alterations in their statutes during their lifetime. The first question, then, to be decided was whether Archbishop Islip had made this reservation in his own favour. If Islip had reserved to himself the right, then the question might be raised, whether, in carrying it into effect, he was in his dotage and incapable of rational action. We have no data or evidence to justify us in giving an opinion on the subject. All we know is, what the judgment of Langham was, acting as a judge; and that, on an appeal, his judgment was confirmed.

This is the plain statement of the case.

The manor Langham selected for his favourite country residence was that of Otford. Here he was seeking recreation and rest, when messengers arrived from Montefiascone, where Urban V. was then residing, with the announcement, that on the 27th of September, 1368, the pope had promoted Simon Langham to the dignity of a cardinal presbyter by the title of St. Sixtus. There were many things, which commended this appointment to the mind of Langham. He did not, perhaps, picture to himself the meadows, the orchards, and the mulberry plantations in the vicinity of the town; or the promenade of elm trees running the circuit of the walls, of which those who, in our age, have visited Avignon have a very pleasant remembrance. These were not likely to be as attractive to him as they are to us in a more civilised age, although Petrarch had already taught men a love of the picturesque. But the noise of those many church and

convent bells, which disgusted Rabelais, who gave to Avignon the name of La Ville Sonnante, would be as music to the ears of the sometime Abbot of Westminster. He would think with pleasure, of dwelling in the midst of a city abounding in churches and religious establishments. Although Petrarch was not now at Avignon, yet Langham knew, that he had been strongly urged to revisit that city—an invitation which only his declining health prevented him from accepting. Richard of Bury was an acquaintance of Petrarch, and to the friendship of Petrarch, as much distinguished now for his piety as he had been formerly for his genius and learning, Langham might fairly aspire. Petrarch was indeed engaged at this time on his book, “De sui ipsius et multorum aliorum ignorantia,” against some foolish pedants, who, in their ignorance, assailed the Pentateuch and the Scriptures in general; and Langham might anticipate a conference with the poet, upon whom the eyes of all Europe was fixed, on such a subject as this. The palace of Avignon, moreover, was not now what it had been under Clement V. The present pope, Urban V., was a devout, meek, and humble man, who still lived as a monk amidst the splendours of royalty. He was the patron of learning and the protector of learned men. To form part of the family of such a pontiff seemed to Langham to be passing into another monastery. At the same time, he knew Urban to be a weak man, easily influenced by those around him. His predilections were known to be towards England and her heroic king; but he was always found acting with her enemies. Even now, when he astonished the world by nominating one English and one Italian cardinal, he yielded so far to the French interest, that he included in the batch of cardinals six Frenchmen. It occurred, therefore, to the sagacious mind of the aged English statesman, that it would be of vast importance for England to have a representative, in what

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was really, if not avowedly, a hostile court. The cardinalate was not now, as it soon after became, a post of honour, involving only duties which a non-resident might discharge. The cardinals were required to reside at the papal court, to fill public offices, and to officiate as judges in the various tribunals. They acted as the privy council of the pope; and to have in that council, at that time, a patriotic Englishman, might well be regarded as a matter of importance.

With these impressions upon his mind, Langham received the intelligence of his nomination to the cardinalate with satisfaction; and hastened immediately to Westminster, fully expecting that, by the long-sighted king, the same view would be taken of the political advantages of the appointment.

But the pride of Edward prevented him from entertaining any feeling, except that of indignation, that the pope should dare to summon to his councils a subject of the King of England, without first signifying his intention to the king, and obtaining his consent. He felt very much as the King of Prussia might now be expected to feel, if unknown to him, the Emperor of Austria were to nominate one of his ministers to become a counsellor of the Austrian empire.

An English king has seldom been accustomed to moderate his anger, or to place restraint upon his passions. Langham was astonished and astounded by the violence of Edward's feelings against one whom he had honoured with his friendship. We have had an exhibition of the same violence of anger and the same placability in the history of Archbishop Stratford.

By the common law of England the nomination of Langham to the cardinalate had rendered vacant the primacy of England. Simon Langham, now Cardinal of St. Sixtus, had, on his nomination, ceased to be Archbishop

of Canterbury. The king seized the temporalities of the see and appropriated them to his own use.*

Langham did not murmur or complain. He felt certain, that the time would come, when the king would see the matter from a different point of view—and it was so. Although the primacy was forfeited, yet Langham felt that he might have been reappointed. But this he did not propose.

Langham asked permission to remain at Otford, till he could complete his preparations for sailing. Here he was forsaken by many of his former retinue. They had no wish to expatriate themselves. His appointment to an office in a court regarded as hostile to England, rendered him immediately unpopular. The rents by which a large household was supported were, to a great extent, paid in kind. Money was scarce; and yet now Langham had to pay in money for everything he required. He was obliged, therefore, to apply to the clergy of the deanery of Shoreham to advance him, on loan, a certain sum of money, to be raised by a rate of fourpence in the mark. While he was at Otford he was reduced to such difficulties that, it is stated, he was obliged to sell his staurum.†

He applied for leave to quit the country, but did not obtain it until February. On the last of February, the Ex-Archbishop of Canterbury, Cardinal Langham, sailed

* In some books it is said that Langham announced his appointment to parliament, and that parliament was consulted by the king. But no parliament sat after May in this year; and in 1369 parliament did not meet till June. Langham had sailed for the continent in February. Widmore says that "In the style of business of those times, a person appointed cardinal was discharged by the pope from his obligation to attend a particular church, that he might be employed in the service of the Church universal."

† Staurum, any store, or standing stock of cattle, provisions, &c. Kennet, Glossary.

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for the continent. He landed the next day, being a Thursday.

Soon after his arrival at Avignon, Cardinal Langham had to lament the death of his patron, Pope Urban V. Urban was succeeded on the papal throne by Peter Roger, a nephew of Clement VI., and son of William, Count of Beaufort. The new pope, who took the name of Gregory XI., was a young man; and he knew the value of such a counsellor as Langham, whom he employed on several important missions.

Friendly relations were soon re-established between Cardinal Langham and Edward III. The king became aware of the advantage of having a friend to England at the Court of Avignon; and, as in the case of John Stratford, he endeavoured to obliterate the memory of the past, by heaping favours upon the friend who had borne so meekly the outburst of his passion. He allowed him to style himself the Cardinal of Canterbury. He called him his dear and faithful friend.* He permitted the cardinal to hold a prebend in York, the archdeaconry, together with the treasurership of Wells and the deanery of Lincoln. This was done by the king, in defiance of the laws of the land; but he probably supposed, that the appointment of an Englishman, though a cardinal, to these situations was a legitimate exception to the rule. The House of Commons, however, were of a different opinion. They were not, perhaps, aware of the services rendered to the English crown by Langham; and when he was appointed to the deanery of Lincoln they complained.†

* *Fœdera*, iii. 932, 970. Notre cher et feal amy le Cardinal de Cantebirs.

† *Rot. Parl.* ii. 339. It may be well to show from a contemporary, the feelings with which preferments in the Church were at this time regarded. Writing to Francesco Bruni, the apostolic secretary, Petrarch says, that he would gladly accept from the pope a living

In the year 1372, Cardinal Langham was associated with the Cardinal of Beauvais in a mission to the courts of England and France, for the purpose of mediating a peace. The two cardinals met at a town in Flanders, where they remained for four days in consultation, and then repaired to the French court.* From France they passed over to England. It was doubtful how the cardinals would be received by Edward, and measures were adopted to procure for them proper respect. In 1371, Gregory XI. published a bull, prohibiting all patriarchs, primates, and archbishops from carrying the cross in the presence of a cardinal or other representative of the Church of Rome.† The nuncios were, at the same time, invested with extraordinary powers. They were commissioned to consecrate or order the consecration of churches—those probably, and they were many, which had, through the neglect of the diocesans, been left unconsecrated. They might purify cemeteries which had been polluted by the burial of heretics, having first exhumed and cast out their bodies, if discovered. They had full authority to visit exempt monasteries, which, from the laws against papal interference, had been left for several years unvisited. They had considerable powers of granting benefices. One hundred women of high birth and rank, to be named by the nuncios—some of them “with four honest matrons”—

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without care of souls, the care of his own soul giving him sufficient employment. Such a donation would add to the comforts of his old age. He had no cause of complaint; he kept two horses, and five or six amanuenses; but self-invited guests besieged him, and the expenses of hospitality were great. He also wanted to build an oratory to the Virgin Mary, and if he did not obtain some further preferment, he should be obliged, for that purpose, to sell his books. Though not in priest's orders, his preferments were already considerable. *Variorum Epist.*, 43.

* Fabyan, 484.

† Wilkins, iii. 90.

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were to enter and visit any convent of females, but not to eat or sleep therein. The nuncios had power to absolve thirty persons who had committed homicide or mutilation on deacons or archdeacons, with a form of penance, scourging in the church.*

There were several who availed themselves of the power of absolution which the nuncios possessed; but with the exception of these and the visitation, perhaps, of some of the exempt monasteries, the cardinals had neither the time nor the ability to exercise the authority, which the pope assumed the power to confer. The anti-papal spirit was at its height in England, and any violation of the laws of the land would have been immediately resented. Neither was Langham inclined to forget his duty as an Englishman, though he now appeared as the representative of a foreign court. When he came into the presence of the king, he immediately, to the disgust of his French coadjutor, doffed his hood as a mark of respect—a mark of respect not shown in his interview with the French king; for this he received a reprimand from the court of Avignon, where it was reported that what he did was in derogation of his own dignity.

The offer of mediation was contemptuously rejected on either side; and the reason assigned by the court at Avignon was that, as the nuncios had been, one the Chancellor of England, and the other the Chancellor of France, they were each of them too much attached to the interests of their respective princes.† Nevertheless, Langham's visit to his native country was not without some political suc-

* This, taken from a manuscript in the British Museum, is quoted by Dean Milman, v. 389. The important facts from this interesting manuscript have been pressed into his service by Dean Milman, with that wonderful skill by which he grasps what is important amidst a sea of rubbish.

† Baluzius, i. 427.

cess. Although the result of the legation was not what was intended, he succeeded in effecting a peace between the King of England and the Count of Flanders.*

While in England, the cardinal viewed with interest the works carried on by his successor in Westminster Abbey, and encouraged him to proceed by promising him pecuniary support. He also visited the convent at Canterbury, and with his usual munificence presented each monk with a piece of gold; which was afterwards misrepresented in the light of purchasing their votes in the event of the see of Canterbury becoming again vacant.

At the commencement of the following year, he returned to Avignon. Here, having explained away, with a craven spirit, the mark of respect shown to the King of England,† he was advanced by Gregory XI. to the title of Cardinal Bishop of Præneste. After his visit, however, to England he lost his influence at the papal court.

In 1374, on the death of Archbishop Whittlesey, the Chapter of Canterbury, without consulting the king, and not forgetful, it is said, of the Cardinal's gold, made a postulation for Langham to be his successor.‡ But the king, at that time entirely under the influence of the Duke of Lancaster, had determined to reward Simon Sudbury, Bishop of London, for services he had rendered to the Duke of Lancaster's party; and the convent of Canterbury were threatened with the penalties of a præmunire. The pope's inclinations coincided with those of the king, for, in serving the Duke of Lancaster, Sudbury had also served the papacy; and the postulation was refused, on the ground that Langham was an able man of business, and could not be spared from Avignon.

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* Fœdera, iii. 953.

† Ang. Sac. i. 794.

‡ Ibid.

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But Langham's heart was still in England; and when the plague returned here in 1374, he obtained two bulls from the pope, granting full pardon to all who died in penitence, and were unable, from the absence of the clergy, to receive sacerdotal absolution. Although we do not see any peculiar advantage to be derived from such a proceeding, it was the means, no doubt, of affording much peace to troubled consciences, in the absence of all spiritual consolation through the dearth or the neglect of the clergy.

Langham was also in frequent correspondence with the Abbot of Westminster. From letters preserved in the archives of the abbey, we learn that Langham had determined to establish certain chantries at Westminster and at Kilburn, and he also had set his heart on rebuilding the west end of the abbey. For the accomplishment of the first object, he gave a thousand marks to purchase an estate productive of forty marks a year. He was urgent to have the works of the abbey carried on without loss of time, and contributed six hundred marks to the subscription which the monks were raising for that purpose.

The pope, towards the close of Langham's life, was expected to leave Avignon for Rome, much to the dismay of the English cardinal. He could not bear the thought of being removed so far from England, and from the works which, with his advice and chiefly at his expense, the abbot was carrying on in Westminster Abbey. He had long since ceased to have influence in the papal councils of Avignon. What was he, an aged man, to do in a country so strange to him as Italy? He wrote letters to the king entreating his permission to settle in England. The Duke of Lancaster was now the ruler of England, the king was in his premature dotage, and Langham did not receive the immediate answer he expected from his dear old master. He

was not likely, however, to meet with opposition from the papal court. They no longer wanted a man of business there, whose eye was ever cast towards the shores of England,—alas! not now an object of fear. The councils of the English cardinal were received with suspicion, in a college of cardinals composed almost entirely of Frenchmen.

At length, the royal consent was signified to him by letters. He hastened to the pope, and obtained his permission to retire. He wrote to the Abbot of Westminster to provide him with lodgings within the precincts of the abbey, promising the assistance of his advice as well as of his purse for the completion of the works in progress. He conferred with French architects, and enlisted in his service skilled artisans. In making his preparations for his departure, the old man felt young again. One fine day in June, he was conversing on the subject. He was in high spirits and apparently in good health. He was rejoicing in having now almost accomplished what had for many years been the object of his life, when he was struck down by a paralytic stroke. Physicians were sent for, but medical aid proved to be useless. The attack was a fatal one. He lingered for a couple of days, and on the 22nd of July, 1376, Simon Langham breathed his last.

His will was opened, and his wish there expressed was, that, if he died at Avignon, he should be buried in a church of the Carthusians, which had been lately built, and towards the erection of which, he had contributed with his usual munificence. To a vault in the church of the Carthusians his body was therefore consigned.

A copy of his will is to be found in the appendix to Widmore; in it we may say, that he left Westminster Abbey his residuary legatee. We have already mentioned, that his benefactions to the abbey, including the debts of

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his predecessors, which he discharged, amounted to ten thousand eight hundred pounds, recorded in the two following verses :—

Res, Æs de Langham tua Simon sunt data quondam
Octingentena librarum millia dena.

Three years elapsed, and the grateful monks of Westminster had by that time prepared a tomb in St. Benet's Chapel, whither the body of their benefactor was brought and re-interred with all due solemnity.

CHAPTER XIV.

WILLIAM WHITTLESEY.*

Obscurity of early life.—Educated at Cambridge.—Master of Peterhouse.—Nephew of Archbishop Islip.—Studied canon law at Avignon.—Judge of the Court of Arches.—Archdeacon of Huntingdon.—Bishop of Rochester.—Translated to Worcester.—Translated to Canterbury.—Recurrence of the plague.—Enthronization conducted privately.—Maintains Edward's right to call himself King of France.—Whittlesey a confirmed invalid.—Unable to attend parliament.—Sent his proxy.—Only officiated once at a consecration.—Depressed condition of the country.—Return of the plague.—Party feeling.—Clergy first regarded as professional men.—Attempt to form a lay government.—Clergy required to arm themselves.—Offences against Statute of Mortmain.—Clergy taxed by parliament.—Whittlesey attends convocation.—Preaches.—Breaks down.—His illness.—Anti-papal spirit among the clergy.—Embassy to the pope.—Its failure.—A congress proposed.—Oxford empowered to elect its Chancellor.—Oxford.—Its medicinal waters.—Whittlesey at Lambeth.—His will.—His death.

OF the personal history of William Whittlesey little is known. He is supposed to have been a native of Whittlesey, a town situated near the great mere of the same name in the county of Cambridge; † and his

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* Authorities :—Walsingham, Birchington, Continuatio Historiæ de Episcopis Wigorniensibus. Capgrave.

† Fuller, Worthies, ii. 99, places Whittlesey in Huntingdonshire, and, in his quaint way, says :—“No reputed author mentioning the place of his birth and breeding, he was placed by us in this county, finding Whittlesey a town therein, so memorable for the mere, and

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education at the university of Cambridge may be regarded as confirmatory of the tradition. He became a member of Peterhouse, in which house the collegiate system instituted at Oxford a few years before by Walter de Merton, was introduced into Cambridge through the munificence and wisdom of Hugh de Belsham, Bishop of Ely. From Cambridge, according to a custom, still observed, of attending lectures at more than one university, he went, as we are informed by Wood, to Oxford. But he returned to Cambridge in the year 1349, when he became Master, "Custos," of his college—the third in succession from the founder. It was a time of much activity in Cambridge, but Whittlesey is not mentioned as having taken an active part in the proceedings of the University.

William Whittlesey was the nephew of Archbishop Islip, who made himself responsible for his education.* By the advice of the archbishop, he devoted himself to the study of the canon law; and, to complete his legal education, he became a student in the papal courts at Avignon. While there, the archbishop appointed him proctor of the see of Canterbury; and this appointment was the means of bringing him a considerable business, when the student became a practitioner. He was recalled, by his paternal friend, to England, when a vacancy occurred in the Court of Arches. Of this court the nephew of the archbishop was constituted the judge. If he retained this office when he was appointed Master of Peterhouse, he had the means of defraying his travelling expenses, for he was rector both of Croydon and of Cliff. He was collated to the archdeaconry of Huntingdon in the year 1337.†

presuming that this William did follow suit with the best coat in that age, surnamed from the place of their nativity."

* Simon Islip, Archiepiscopi Consanguineus. Ang. Sac. i. 535. Green says he was his sister's son.

† The entry in Hardy's *Le Neve* stands thus: "William Whittlesey

While he was Archdeacon of Huntingdon, he sat in judgment in the celebrated case of Thomas de Lisle, Bishop of Ely, on which case some remarks have been made in the life of Simon Langham.*

It tells well for Archbishop Islip, that he provided for his kinsfolks, and despised the absurd cry against nepotism. A man should die rather than appoint an unfit man to a public office; but when, among many men sufficiently qualified, there is one who is his kinsman, then, by the very fact that God, in His providence, has brought that man near to him, he is bound to select him as the special object of his favour. The archbishop was, at this time, in bad health. He sought for and found affectionate assistance in his nephew; and William Whittlesey, grateful for the education bestowed upon him by his uncle, found pleasure in proving his gratitude, by attending to the interests and the wishes of his aged kinsman.

In the year 1360, the see of Rochester became vacant by the death of Bishop Sheppey.† In the infirm state of the archbishop's health, it would be a great comfort to him—and when discussing the subject of a successor to Sheppey, it could not fail to appear to both uncle and nephew that it would be advantageous to all parties—for the bishopric to be held by William Whittlesey. He had invariably conducted himself with more than respect-

was admitted on Tuesday, the feast of St. John (June 24, 1337), to the archdeaconry of Huntingdon (Coll. Kennett), on the death of R. Brenchell." If so, he was again appointed 20th June, 1343. Pat. 17. Edward III. p. 1, m. 15.

* Hist. Eliensis.

† John Sheppey had been a lawyer of some eminence. He was Lord Chancellor in 1356-8; Lord Treasurer in 1358. He was Prior of Rochester before he was a bishop. He was consecrated at St. Mary's, Southwark, to the see of Rochester, on the 10th of March, 1353. He died at La Place, Lambeth, on the 19th of October, 1360. Fuller's Worthies. Stubbs, 53.

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ability, in the various offices for which he had been selected by his uncle's discernment or affection. The Bishop of Rochester, moreover, was a kind of vicar to the primate, who, after the conquest, occupied a situation similar to that which, before the conquest, had been filled by the suffragans of St. Martin's. When the metropolitan was abroad, or engaged in provincial visitations, the chief management of the diocese of Canterbury devolved upon the Bishop of Rochester. It was on all accounts important that a good understanding should exist between the Bishop of Rochester and the Archbishop of Canterbury, and so it was arranged that the bishopric of Rochester should be obtained for Whittlesey.

Since the days of King John, the primate had not retained the absolute power he, at one time, possessed, of nominating to the vacant see. But he still exercised the same kind of control which was, in other dioceses, exercised by the king. The *congé d'élire* was issued in the name of the primate; and he invested the bishop elect with the temporals. If he withheld the temporalities, the chapter would find it difficult to secure the services of a well qualified person for the bishopric. The endowments both of the bishopric and of the chapter were comparatively small; and to avoid litigation was an object. Therefore the influence of the archbishop was still so great, as to be tantamount to a nomination. But the monks were sufficiently awake to their own interests; and I suspect that they made a bargain with the aged primate on this occasion. Certain it is, that we find a certain suspicious *Carta Simonis Islip, Cant Archiepisc. qua restituit ecclesiam de Boxley Monachis Roffensibus*—a restitution made soon after the consecration of Whittlesey.* Certain it also is, that the nominee of the primate was duly elected,

* *Registrum Roffense*, 181.

His election was confirmed at Avignon, *jure provisionis*, on the 31st of July, 1361. Everything was conformable to the late regulations of royalty in regard to the other dioceses. The primate nominated, the chapter elected his nominee, and that nominee was confirmed by the Pope; each party adopting a formulary, which had become little more than a form.

William Whittlesey received the temporals from his uncle, on the 25th of December, 1361, at Otford, and preparations were immediately made for the consecration. The archbishop desired to officiate himself; and his age and infirmities rendered it necessary for him to have the consecration performed privately, in his chapel at Otford. Here he had the satisfaction of laying hands on his nephew, on the 6th day of February, 1362.* But the extraordinary thing is, that he was not assisted by a single diocesan bishop. Islip was not popular with his suffragans; but the favour of assisting at the consecration was to be sought at their hands by the prelate who was to be consecrated. Whatever may have been the cause, if what is said of Islip be true, he would not be sorry to plead his infirmities as an excuse for not incurring the expense of entertaining diocesan prelates, with their princely retinues, even if he had accommodation for them at Otford. His coadjutors at the consecration were Richard, Archbishop of Nazareth,† then acting as a suffragan of Canterbury, and Thomas Bishop of Lamberg, acting as suffragan to the Bishop of London.‡

* Ang. Sac. i. 378.

† Richard, Archbishop of Nazareth, was elected October 10, 1348, and was consecrated at Avignon, by Bertrand, Bishop of Sabina, shortly before the issue of the Bull of Provision, 8th Dec. He was suffragan for Canterbury, 1349; for Worcester, 1350; for London, 1361; for Ely in the same year. He died in 1366. Stubbs, 143.

‡ John Lambergensis Mr. Stubbs regards as the person sometimes called John Langebrugge, "Buduenensis." But Thomas seems to have

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The uncle and nephew worked well and happily together till 1364. The infirmities of Islip increased. The income of the see of Rochester was small. The archbishop wished to bequeath all his savings to the college he had founded at Oxford; and therefore, when, by the translation of John Barnet* to the see of Bath in 1363, a vacancy occurred at Worcester, Archbishop Islip determined to use his influence with the king to obtain the bishopric of Worcester for the Bishop of Rochester. It would not be necessary for the Bishop of Worcester to reside. Although La Place, the residence of the Bishops of Rochester in Lambeth, was nearer to the archbishop's manorhouse (now called the Palace); yet the inn in London of the Bishop of Worcester was near St. Mary-le-Strand; † and so, without much difficulty or loss of time, the nephew might row up the river whenever the primate might require his advice or assistance.

The king's permission, therefore, being obtained, the chapter of Worcester postulated the Bishop of Rochester; and, on the 6th of April, 1364, the translation of William

been a different person. John was appointed suffragan of Wells. In consequence of the number of unauthorised bishops who were acting as suffragans, his commission was renewed in 1362. Stubbs, 144.

* John Barnet, though not distinguished as a lawyer or a statesman, held the office of High Treasurer of England in 1362. He was Rector of Dereham in 1351, Canon of St. Paul's in 1354, and in the April of the same year he was installed a prebendary of Lichfield. He was Archdeacon of Bath, of London 1359, and of Canterbury 1361. He was consecrated to the see of Worcester on the 20th of March, 1362; was translated to Bath in 1363; to Ely in 1366. At Ely he had established an interest, having been chaplain to Bishop De Lisle. He died at Bishop's Hatfield, June 7, 1373, and was buried at Ely. Fuller. Bentham's Ely. Green's Worcester. Stubbs' Registrum.

† Pennant, 149. A void piece of ground in front of this inn was leased by one of Whittlesey's successors, for building purposes, for the yearly payment of one pound of pepper and a supply of garden stuff to the Bishop's family when resident in London.

Whittlesey was effected. He does not appear to have resided at his new see. But when he was enthroned he found the prior and convent in a state of great exultation. The prior had just obtained from Urban V. the confirmation of a bull of Clement VI., by which the use of the mitre and pastoral staff was conceded to him and his successors for ever.

Two years afterwards, the Bishop of Worcester mourned the death of his benefactor and patron, who departed this life on the 26th of April, 1366.

All that can be said of Whittlesey is, that he was a man of commanding presence, eloquent, and discreet. It so happened, that, a man of discretion, and one who had not been mixed up in politics, with no ambition to become a statesman, was required to fill the metropolitan throne of Canterbury, on the resignation of Langham. Whittlesey was such a man; and, as such, he was recommended for the primacy to Edward III. To the will of the king, when he required the chapter of Canterbury to postulate the Bishop of Worcester, the monks of Christchurch yielded. The pope, under the circumstances of the country, even if he had possessed the inclination, would not have ventured to disregard the royal mandate; and by a bull, dated the 11th of October, 1368, Whittlesey found himself primate of All England and metropolitan. It must have been to his own surprise, if of modesty he possessed a single spark.

It was under mournful circumstances, however, that he prepared for his enthronization. For the third time, the plague had made its appearance in the land. Whether Whittlesey partook of the economy or penuriousness of his uncle is not known, but, of course under the circumstances the religious ceremonials of the enthronization could only be observed; and, to the disappointment of the citizens of Canterbury, the feast was omitted.

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In the parliament, which assembled in the May of 1369, the primate had to bear a part, though not a very conspicuous one. After the treaty of Bretigny, King Edward had renounced the title of King of France. But that treaty had now been grossly violated by the French king. The question, therefore, was put to the archbishop and other prelates of the Church of England, in the king's name, by William of Wykeham, the chancellor, whether King Edward might not, notwithstanding his stipulation to the contrary, resume, under the circumstances, the title of King of France.

The archbishop and prelates took two days to deliberate on this case of conscience. When, on the third day, the parliament had reassembled, the archbishop in the name of his brethren delivered their judgment. They were unanimous in their decision that, by the infraction of the treaty on the part of the French, the king was absolved from an oath, which was only binding so long as the opposite party abided by the terms of the treaty to which they had been jointly sworn; and that Edward might, with good conscience, resume and use the title of King of France.

In this sentence, the dukes, earls, barons, and commons, with equal unanimity, concurred. The king immediately gave orders, that a new seal should be made: and from that time, till the reign of George III., the Kings of England continued to have their arms quartered with those of France.

Soon after his appointment to the see of Canterbury, Whittlesey became a confirmed invalid. In 1371 he excused himself, on this ground, from attending parliament, and sent his proxy to the Bishops of London, Worcester, and St. David's.* There were eight bishops consecrated during his primacy, and he was only able to officiate once. On that single occasion, when he con-

* Reg. Whittlesey, fol. 40. This is, perhaps, the earliest form of a proxy that we possess. It is printed in Wilkins, iii. 89.

secrated Thomas Arundel to the see of Ely, he was obliged to officiate privately, in the chapel in which he himself had been consecrated, that of the archiepiscopal manorhouse at Otford.*

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In short, Whittlesey was neither physically nor intellectually adequate to the exigencies of his position or the requirements of the time. Never did the Church stand more in need of a sound judgment and a vigorous mind. The national spirit, a little while before, exuberant with enthusiasm and hope, was now depressed; and for that depression there was ample cause. The plague, having appeared for a third time, might, it was feared, visit the country periodically. The pestilence, *hominum et grossorum animalium*, had been accompanied with a great inundation; and a scarcity was the consequence.† The glory of Edward's reign was setting. Through his reckless extravagance, in spite of all remonstrances, the country was reduced almost to a state of bankruptcy. The storms were gathering around his throne which overwhelmed his successor. There were reverses abroad. Spain, as well as France, was in arms against this country. Aquitaine was disaffected. At the same time, a strong feeling was rising in the country against the clergy, and it was fostered by men in power.

The government was weak, through the increasing incapacity of the king. The powers of the royal mind had been prematurely excited, and the king in consequence had become prematurely old. He seems to have gradually sunk into an imbecility, the extent of which was concealed from the public. He was not *hors de combat*, but his mind was easily swayed by any persons, who were brought into

* Four of the consecrations took place at Avignon; but still, the fact that Whittlesey only once exercised the highest function of his office, and that in private, confirms the report of his long invalidism. For two out of the six years of his primacy he was confined to his house.

† Adam de Murimuth Cont. 205. Walsingham, 186.

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contact with him. The Duke of Lancaster (John of Gaunt), calling himself, in right of his wife, King of Castile, endeavoured first to bend William of Wykeham, Bishop of Winchester, to his own purposes; and failing in that, his object was to drive him from the palace, that the king might be entirely under the control of his mistress, Alice Perrers—a lady of great beauty and many accomplishments, but evidently, foreseeing the precariousness of her position, bent upon realising a fortune. With her John of Gaunt entered into a close alliance, and, for the first time, formed a political party in the country, which sought its object not by force of arms, alone or chiefly, but through parliament.

The Prince of Wales was abroad. Rumours reached the country that his health was failing. Suspicions were beginning to be entertained that John of Gaunt was planning to secure the succession to the Crown for himself, if anything should happen to his brother.

The party he formed, though afterwards unpopular, was at first powerful. In the House of Commons the middle class was represented, and many came to London with their minds inflamed against that portion of the inferior clergy, who were too often acting as pettifogging attorneys in the provinces. In the House of Lords there were many now aspiring to public situations, who did not wish to qualify themselves for office by submitting to the restraints which would be imposed upon them by taking holy orders. If the high offices of State might be held by clergymen, why not by soldiers, when soldiers no longer treated learning with contempt?

As the object of the Duke of Lancaster's political dislike was the Bishop of Winchester, he sought to strengthen his party by enlisting into his service everyone who was opposed to the clergy, high or low.

Hitherto the clergy had only been a part of the people. They, like others, might fight as soldiers, advise as physi-

cians, labour as farmers, discuss as lawyers, give judgment as judges, serve the country as diplomatists, and the king as statesmen. They had not formed a distinct profession. But now, when learning was no longer despised, and consequently was not a monopoly of the clergy, men were beginning to feel that the law might be made a distinct profession,—so might diplomacy, so might statesmanship;—the military profession was already established. If this were the case, then the clergy formed a profession: if theirs was a profession, let them adhere to it, perform the duties of it, and not encroach upon the duties of other professions.

Many years were to elapse before this conversion of the clergy into mere professional men—instead of being, as heretofore, subjects ready for the performance of any duty anywhere, for which learning was required,—would be an admitted fact; but the tendency was in that direction, at this time. It was now that the clergy were first attacked as a body; it was now first that they began to show a party, a professional spirit—an “esprit de corps.”

The Black Prince, when he returned to England, became alarmed at the ambitious inclinations discernible in his brother. He naturally took the side opposite to the duke; and, as Lancaster endeavoured to sway the king's mind through Alice Perrers, the prince called to his councils his father's old friend and adviser, William of Wykeham.*

The ill-health of the prince prevented him from coming prominently forward. Hence the two parties now formed were headed, really if not ostensibly, by the Duke of Lancaster on the one side, and the Bishop of Winchester

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* “Ther was a priest about the Kyng of England called Sir Wyllyam Wycam, who was so great the Kyng, that all thynge was done by hym, and without hym nothings done.” Lord Berners' Froissart Chron. cexliv. 1, 364.

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on the other. The bishop's chief ally and supporter was a man of the highest rank and family—a man well qualified to resist a Plantagenet—William Courtenay, Bishop of Hereford, of whom we shall have hereafter much to say.

The plans of the Duke of Lancaster were wisely laid. He had the sagacity to see that the House of Commons might be made the arena for party warfare. In forming the parliament of 1371, the friends of the Duke of Lancaster and of Alice Perrers were very successful. Through the sheriffs, by whom a return to parliament might be much influenced, and to whom Alice Perrers wrote in the king's name, a parliament favourable to the Duke of Lancaster was returned; and a direct attack upon the Bishop of Winchester was made, through a petition to the king, complaining that the government for a long time had been managed by "men of Holy Church,—gentz de seinte Esglise,—whereby many mischiefs and damages had happened in time heretofore, to the dishonour of the crown,—en desheritesoun de la coroune,—and the great prejudice of the said realm: that it would therefore please the king that laymen—lays gentz—of the said realm, of sufficient abilities, and none others, ought, for the future, be made chancellor, treasurer, clerk of the privy seal, barons of the exchequer, controller, or other great officers or governors of the kingdom; and that this matter might be so established that it should never be defeated, or anything done to the contrary, in time to come, saving to the king the removal and choice of such officers, yet so as they should be laymen."*

* Collier, iii. 131, points out the inconsistency of the averments in this petition with the preamble of the Statute of Provisors, where it is said:—"Kings, in times past, were wont to have the greatest part of their council of prelates and clerks, for the safeguard of the realm; and that the pope, by forcing foreigners upon patrons, impoverished the council-board and disappointed the government." But what was expedient at one time might be inexpedient at another. The clergy,

The king's answer was, "Le roi ordeinera sur ceo point sicome lui semblera meltz par avis de son bon conseil." *

The party, through Alice Perrers, was nevertheless strong enough to prevail upon the king to accede to the desire of his faithful commons. Sir Robert Thorp was appointed lord chancellor, instead of the Bishop of Winchester; Lord Scrope of Bolton became lord treasurer, in the room of the Bishop of Exeter. But the movement was premature.† For many years to come, the Kings of England were obliged to call ecclesiastics to the council, to consult them as lawyers, to employ them as diplomatists, and to place them on the judicial bench. It required a considerable lapse of time to enable the lawyer, the physician, and the diplomatist to earn a livelihood from their respective professions, independently of that extraneous assistance, if we may so call it, which they had hitherto derived from the emoluments of the Church. After the present experiment had lasted for four or five years, the Duke of Lancaster himself suggested the appointment of a clerical chancellor in Adam of Houghton, Bishop of St. David's.

in the first instance, were regarded simply as subjects; in the second instance they were treated as professional men.

* Rot. Parl. ii. 304. The times were felt to be full of peril to the clergy, who had never before been attacked as a body:—"Adversariis nostris quasi ad januas insultantibus." Wilkins, iii. 79. "In isto parlamento," says Walsingham, "ad petitionem dominorum in odium ecclesiæ amoti sunt episcopi de officiis Cancellar. et Thesaurar. et clericus de privato Sigillo," 186; or, as Capgrave expresses it:—"In this yere, 1371, lordes asked that the bishoppes schuld be removed fro the offises Chancelere, Tresorer, and Privy Sel, and that temporal lordes shuld have the offises. And so it was fulfilled indede; and all this was done for hate of the clergie."

† From the times of Thorp and Knyvett, in 1372 and 1373, the chancellors continued to be ecclesiastics till the promotion of Sir Thomas More, by Henry VIII., in 1530.

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But now the party was determined to follow up the victory. An attack was premeditated upon the purse of the clergy, to which we shall have occasion presently to recur. But as it took some time to mature the measures now designed, it was determined to prepare the way by an attack, as it were, upon their persons. The ministry which superseded that of William of Wykeham suggested the following proclamation to the king, which was offensive, because it insinuated that the clergy were backward in what related to the defence of their country. It was addressed as a circular to the bishops in Latin :—

As we have now newly learned for certain that our French neighbours and others their adherents have collected a great fleet of ships with a great multitude of fighting men and persons in arms in divers parts on the seacoasts, and are hastening to prepare themselves as quickly as possible for shortly invading our realm of England, making war on us, the said realm, and our people, and to the utmost of their power destroying and subverting our dominion and the Church of England, we, wishing to provide for the preservation and defence of the church and realm aforesaid in every way with our whole power, as is fitting, and calling to mind that you and the other prelates and the whole clergy of the said realm, together with our other faithful servants, are held bound to lend your helping hands to resist our said enemies for the security of Holy Church and the said realm, firmly enjoin and command you, by the faith and love by which you are held to us, that in consideration of the heavy losses and perils hanging over us through the attacks of our enemies aforesaid, all abbots, priors, religious and other ecclesiastical persons whomsoever of your diocese, all excuse being put aside, be armed and arrayed with competent weapons, viz. every person between the ages of sixteen and sixty, according to their condition and means, and that you cause them to be set in thousands, hundreds, and twenties, so that they may be ready and prepared for proceeding with our other faithful subjects against our said enemies of our realm of England, to make war upon them with the help of God, to destroy them, and to

drive off and crush their malice and insolence. And this, as you love us and our honour and yours, and the security of Holy Church and of our realm aforesaid, do you in no wise omit. Witness myself at Westminster, the 16th day of June, in the year of our reign of England 46, of France 33.*

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The condition of the Church and the state of public opinion weighed heavily on the mind of Whittlesey. He felt deeply his incapacity to take his proper place in the country. He consulted physicians, and was ever expecting to have a remedy prescribed for his disorder, while they found it difficult to decide on the precise nature of the complaint under which he suffered. He lingered at Otford, where he had early found a home and, in his predecessor, an affectionate kinsman.

Meantime the financial difficulties of the country were increasing. It was necessary to have recourse to strong measures to replenish the exhausted treasury; and to the credit of the king, it must be observed that, unlike his ancestors, he was anxious that the measures should be conducted on constitutional principles.

The House of Commons determined to deal with the property of the clergy and of the religious houses; and the clergy had, unfortunately for their cause, placed themselves in the wrong, and thus had laid themselves open to attack. The Statutes of Mortmain, which had been enacted in the reigns of Henry III. and Edward I., and had been renewed under Edward III., declared that it should not be lawful for any person, religious or other, to buy, sell, or receive under pretence of gift, any lands or tenements without the king's licence.† Yet, in spite of this enactment, lands *had* been received, and the Statutes of Mortmain *had* been transgressed. The parliament was,

* Ex. Reg. Whittlesey, fol. 162.

† 9 Henry III. c. 36. 7 Edw. I. c. 2. 18 Edw. III. c. 3.

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therefore, perfectly justified in deciding, that in the great tax voted in 1371, all lands should be included in the rate which had passed into mortmain since the eighteenth year of Edward I. Whether it was equally justifiable to enforce payment from small livings hitherto exempt is not quite so clear.*

That the parties concerned, the clergy of that age, should feel indignant at the course pursued, and that they should not regard the proceeding with that impartiality with which we are able to view it, is only what one could expect. They simply saw an aggression, a novelty; for ecclesiastical property had hitherto been regarded, in the eye of the law, as sacred. They could not but suspect, and perhaps they were not wrong, that the object was to get in the thin end of the wedge,—and what would follow might be easily surmised. Then, again, the clergy had really a strong case, if we pass over that infraction of the law to which we have referred. At this period, a violation of the law was not unusual, for laws were generally regarded as enactments to meet a present difficulty or grievance. When that end was answered, they were not more binding than are the present laws of the Church of England upon a clergy who, in every rank, are found to violate them with impunity, though they may, at any time, be called to account. The property of the Church was not subject to parliamentary taxation, and never became so until the reign of Charles II. But while the parliament taxed the laity, the clergy, taxing themselves, were the most heavily-taxed portion of the community. Not only were they compelled, when the king was either despotic or weak, to contribute more than their quota to the expenses of the court, the army, and the country, but they had also to submit to various

* Walsingham, 186.

exactions on the part of the papal court. Repeatedly had they petitioned the government to protect them from the pope, but scarcely ever did they obtain redress, until the laity as well as the clergy became objects of papal extortion; or until the country, impoverished by the money which passed from this country into the papal coffers, was made practically to understand that what affected one portion of the community could not fail, after a time, to have an influence upon the whole body.

Depressed and feeble as he was, Whittlesey felt deeply the state of public affairs, and the treatment which the clergy experienced, at this time, from the parliament. He deplored his own impotence; and in 1373, when another subsidy was demanded of the clergy, he determined to leave his sick-room, and, at the risk of his life, to make a public protest, if he could do nothing more, against proceedings which, if he could not prevent, he could at least condemn. He was a man of acknowledged eloquence; and he determined to open the convocation with a sermon which would enable him to address not the clergy only, but the people in general. It did not require much skill to convert a "concio ad clerum" into a general declaration, when the congregation consisted of all classes of the citizens of London.

The convocation met at St. Paul's. The great west door was thrown open to receive the metropolitan, attended by the diocesan. The whole staff of the cathedral presented themselves, arrayed in their most splendid copes. All were eager to look upon the archbishop, who had been so long confined to his house and his room. His form was bent; he could hardly walk, though supported by his chaplains; his gorgeous apparel seemed to sit so heavily upon him as almost to extinguish him. Yet there was fire in his eye. His face, usually so pale, was now flushed. The excitement of his mind made itself visible

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in every feature of his countenance and every movement of his body. The Bishop of London attended the metropolitan to the stall which had been prepared for him, and then went to his throne. Instead of preaching from his stall, the archbishop, with tottering steps, ascended the pulpit that he might be the better heard.* There was a solemn silence, for it seemed as if the aged prelate were about to utter his last words. He took for his text John viii. 32, "Ye shall all know the truth, and the truth shall make you free." He preached in Latin. The deep tones of his well-managed voice were heard through the aisles. He proceeded to argue, from these words, that it is the duty of the clergy to propagate and maintain the truth; and that, for their works' sake, they were free from all taxation, except that which was self-imposed.† He had scarcely stated his argument and the plan of his sermon, when his voice sank into a whisper. His nerves gave way, his strength failed. He sank into the arms of the chaplain, who held his cross; and, through a congregation both terrified and sympathising, he was borne out of the church, was placed in his barge, and was rowed up to Lambeth.

The Bishop of London, Simon Sudbury, immediately waited upon the archbishop, and received the proper instruments to constitute him president of the convocation.

The proceedings of the convocation, under the direction of Courtenay, Bishop of Hereford, were conducted with moderation and decorum. There was no attempt to dwell upon the privileges of the clergy, theoretically—a course which the archbishop, not a very practical man, had evidently intended to pursue; a course which could only have the effect of exasperating enemies, without earning friends. Complaint was made, and in the complaint the whole nation concurred, of the prodigal expenditure of the

* Parker says, as if to mark an unusual fact, *suggestum ascendens*.

† Parker, 380. Wilkins, iii. 97. Fuller's Worthies, ii. 100.

court and the royal family. It was stated that, while all the people were aggrieved by the heavy taxation consequent thereupon, the clergy had a double burden to bear.* They were required to tax themselves to meet the requirements of the pope as well as the demands of the king. Remove from our necks, it was said, the papal burden, and we shall not only be able to give more to the king, but we shall give it with hearty goodwill. When the discussion had assumed this shape, and the members of the convocation were sufficiently prepared, the Bishop of Hereford rose under considerable excitement from his seat, and solemnly declared, that neither he nor the clergy of his diocese would contribute a fraction of their property to the king, until the king applied a remedy to the calamities which, through the exactions of the pope, the Church of England had so long endured. This was an indirect attack upon the Duke of Lancaster, who, in his opposition to the clergy of the Church of England, was prepared to encourage the pope in his exactions; permitting him, in the treaty of Bruges, to demand of them a contribution of 100,000 florins.

In this spirit negotiations were entered into with the government, still in the hands of the Duke and of Alice Perrers.

To the Duke's party Sudbury, the Bishop of London now president of the convocation, belonged; and between him and Courtenay it was at length arranged that the convocation should grant a tenth, on condition that the government would unite with the clergy in laying a statement of their grievances before the pope, and in demanding immediate redress.

* Parker, 380. "Clerus se jam paucis annis regiis sumptibus exhaustum penitus et enervatum conqueritur, eoque magis, quod non minus a rege, quam a papa, singulis pæne annis interpellarentur, cujus intolerabile jugum si a suis cervicibus depelli possit, subvenire se posse commodius regiis necessitatibus."

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An embassy was sent, but, as might be anticipated, with little result. The Bishop of Bangor, John Gilbert, to represent the secular clergy; Ughtred Bolton, a monk of Dunholm, to represent the religious orders; William of Benton and John of Shepeye, to represent the laity, were appointed commissioners to lay the grievances of the Church of England before the pope at Avignon. The archbishop, evidently distrusting them, gave a separate commission to Hugh of Arban, Richard Brayton, and Robert Bradegate, to act, conjointly or individually, as his proctors.* These persons were commissioned, in the name of the king and his lieges, to demand that the pope should pledge himself no longer, contrary to law, to make reservations or provisions of benefices; that the cathedrals and collegiate churches should exercise their right of electing their bishops with plenary authority; and that the metropolitan should, as was the ancient custom, possess the sole right of confirmation. They were to warn the pope that he would find himself disappointed if he expected to reduce the patronage of the Church of England to a matter of mere name and sufferance. They were willing to permit the right of confirmation in the appointment of a metropolitan to devolve upon the pope; but in all that related to suffragans and beneficiaries of inferior dignity, they were to affirm that "the authorities of our nation must be sufficient, and must not be disturbed by the coming in of authority from the papal court, the same thing being contrary to justice and ancient custom."

When the deputation waited upon the pope at Avignon, Gregory XI. candidly admitted that the Church of England and her king had some grounds of complaint. He did not deny that the papal agents had been some-

* Wilkins, iii. 94. In this document there is allusion made to the number of forged bulls which came to England.

times injudicious, and that their conduct had been irregular.

The state of affairs in England was, however, no secret in Avignon, where the terrors that were once attached to the name of Edward and his heroic son had begun to subside. The difficulties under which the English clergy laboured were well known: the policy of humouring the Duke of Lancaster was perfectly understood. All, therefore, that the ambassadors, not perhaps sincere when executing their commission, could obtain was, the promise of the pope to send representatives to a congress to be held hereafter at some place to be named by the king. Of this congress we shall have occasion to speak in the life of Sudbury. We shall then refer also to the proceedings of the Good Parliament in behalf of the clergy of the Church of England and against the pope.

Although Whittlesey was unable to take an active part in public affairs, he succeeded in effecting one important object. We have had occasion to mention the controversies, which frequently arose between the University of Oxford and the Bishop of Lincoln, in whose diocese the University of Oxford at that time was. To Whittlesey belongs the merit of having put an end to these disputes by obtaining a bull from Urban V., which conceded to the university the right of electing its chancellor, without any reference to the bishop. This either implied, or led as a necessary consequence to, the privilege of self-government.

Of the archiepiscopal residence at Otford, called by later writers the palace,* a tower and the cloistered side of the outer court are the only portions that now remain. These

* Strictly speaking, the Palace was the house which a bishop occupied in his cathedral town; his other residences were styled manors. The Archbishops of Canterbury, in the middle ages, had 16 manors, most of them in Kent or Sussex.

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are of a date later than the time of Whittlesey. But when the traveller wandering by the Darent looks up to the chalk hills at the foot of which the castle stood, with its parks and woods adjoining, he is able to understand why so many of the primates chose this as their place of abode, when fatigue, disease, or old age induced them to seek retirement. But Whittlesey had another reason for fixing his abode here. The waters are pure as those of Malvern, and were—indeed still are—regarded as medicinal. A peculiar efficacy attached to these in the opinion of Archbishop Whittlesey and his contemporaries. The bath which his attendants prepared for him was the bath which was said to be used—(if after his consecration he ever *did* use a bath)—by St. Thomas the Martyr; it was supplied by water from St. Thomas's well, and this well was fed from a spring which owed its existence, as well as its merits, to St. Thomas's staff. Thomas à Becket, when he first determined to reside occasionally upon his manor at Otford, was informed that, for want of water, it would be useless to erect a mansion on the spot: upon hearing this St. Thomas struck his staff into the ground, and forthwith issued the stream at which, to the present hour, the inhabitants of Otford imbibe refreshment and health.

But the cold water was no cure for Archbishop Whittlesey. We have seen how the spirit, more vigorous than the flesh, impelled him to attend the convocation of 1373. He was carried to his manorhouse at Lambeth. From Lambeth he was never well enough to be removed; but to the last he retained his faculties. Feeling himself growing weaker and weaker, he dictated his will, on the 5th of June, 1374. He appointed John of Woodhall, Walter Dancy, and John of Susthorn his executors. He directed them to expend such a sum of money as they might think expedient for his soul's health. His library,

including the books he inherited from a kinsman, William, he bequeathed to Peter House, Cambridge. His attachment to his family was, like that of his uncle Islip, one of the amiable traits of his character. He desired, therefore, that the residue of his property should be divided among his poor relations; and bequeathed to his kinsman, Ralph, whom he had appointed to be his chamberlain, one hundred marks. To his chapel at Whittlesea he bequeathed, "vestimentum meum integrum de Scaloppis."*

He died the next day. He was buried at Canterbury under a fair marble tomb inlaid with brass, over against his uncle, Simon Islip, between two pillars on the south side of the body of the church.†

* Ex Registro Ecclesiæ Cant.

† Somner, pt. i. p. 134.

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CHAPTER XV.

SIMON SUDBURY.*

Family name Theobald, or Tybald.—Born at Sudbury.—Educated abroad.—Graduated at Paris.—Patronised by Innocent VI.—Auditor of the Rota.—Chaplain to the pope.—Chancellor of Salisbury.—Consecrated Bishop of London.—A benefactor of Sudbury.—Purchased the living.—His unpopularity.—Instance of his bad manners.—His condemnation of pilgrimages.—Acquainted with Wiclif.—Goes on an embassy to Bruges.—Failure of the embassy.—Unpopularity of John of Gaunt's party.—Sudbury translated to Canterbury. Overthrow of the Lancaster ministry.—Anti-papal proceedings of the Good Parliament.—Splendid enthronization of Sudbury.—Sudbury's munificence to the cathedral.—Injunctions to the convent.—Another change of ministry.—Party spirit displayed by Sudbury.—Convocation compels him to summon the Bishop of Winchester, William of Wykeham, to that synod.—Sudbury officiates at the coronation of Richard II.—Opens parliament with a speech.—Excluded from the Council of Regency.—State of parties.—Proceedings against Wiclif.—Unwillingness of the English prelates to prosecute.—Papal bulls.—Proceedings at Lambeth.—Visitation.—Exempt monasteries.—Controversy with St. Augustine's.—Parliament at Gloucester.—Violation of sanctuary by the partisans of John of Gaunt.—Rights of sanctuary.—A convocation.—Constitutions enacted.—Laws concerning confession.—The archbishop settles a dispute between the minor canons and chapter of St. Paul's.—Dress

* Authorities :—Walsingham ; Thorn ; “*Vita Simonis Sudbury ex Speculo Parvulorum*, v. 27” ; *Ang. Sac.* i. 49 ; *Political Songs* ; *Versus de tempore Johannis Straw* ; Knyghton, *Lib. v.* The Fifth Book of Knyghton, which treats largely of the events of this period, is attributed to another writer, evidently of the Duke of Lancaster's party. *Fasciculi Zizaniorum.*

and allowances of minor canons.—Urban VI. pope.—Dissenting cardinals.—Urban acknowledged in England.—Change of ministry. Causes of discontent—Villeinage.—Villeins in gross emancipated.—Discontented clergy.—Duke of Lancaster again in the ascendant.—His policy changed.—Sudbury chancellor.—Opens the parliament at Northampton.—Capitation tax.—Popular excitement.—Insurrectionary movements.—Sudbury goes with the king to the Tower of London.—Wat Tyler.—Rioters reach London.—Their excesses.—Destruction of the Savoy Palace.—They attack the Tower.—Murder of the archbishop.

SIMON, the son of Nigel and Sarah Theobald, or Tybald,* was born at Sudbury, in Suffolk, in the parish of St. Gregory. Although proper names had now become common, it was still usual for a man of humble origin, when he rose to a high position in society, to designate himself by the name of the place in which he was born, or to which he had been by circumstances attached. It was an assumed title, which gradually became the proper name of the family. It is still the custom with plebeians when they are raised to the peerage, to adopt a title from some favoured locality. What is now peculiar to the upper classes of society, with the consent of the sovereign, was, in the fourteenth century, without the lordly prefix, a prevalent custom in a humble sphere of life. The *de* or *of* was, after a time, omitted. Simon of Langham, William of Whittlesey, Simon of Sudbury, became Simon Langham, William Whittlesey, Simon Sudbury; and although the historical name of William of Wykeham remains unaltered, it was only as Wykeham or Wickham that the other descendants of John Longe, his father, were known, when they exchanged their patronymic for one the most illustrious of the names which occur in English History.

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* The name is written by Mr. Foss Thebaud or Tibbald. It is also spelt Thepold: "Orate pro domino Simone Thepold." La Neve, 292. We should now write it Theobald.

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The parents of the future archbishop, though belonging to the middle class of society, were in circumstances sufficiently opulent to enable them to become benefactors to their parish church, and to defray the expenses of their son's education in foreign parts.*

Simon, though he studied in the English universities, did not remain there long. His parents intended that he should be a lawyer, and sent him to study canon law in the French and Italian universities. For his legal acquirements he was, through life, a distinguished man. He took his degree as a Doctor of Canon Law in the University of Paris. The papal chair was occupied by Innocent VI., who, as Stephen Aubert, had been himself eminent as a canon lawyer, and was a patron of rising excellence wherever it was found. If we can forgive the fearful perjury of which he was guilty to secure his election to the papacy, we may describe Innocent VI. as a man of unblemished moral reputation, simple in manners, and so affectionate to his family and friends that he was accused of the venial offence of nepotism. To have obtained the notice of such a discriminating patron reflects credit upon the early career of Simon. He became an auditor of the Rota in the papal court,† and after his ordination he was made chaplain to the pope himself. It is said that about this time he visited Rome;‡ if he did so, he must have formed one of the suite of Cardinal Albornoz, and he

* Nigellus Thebaud et Sara, parentes ejus, atque benefactores Ecclesiæ S. Gregorii in Sudbery. Mon. Angl. vi. 1370.

† In a mandate of Edward III., Fœdera, iii. 482, he is designated "Maistre Symonde Sudbury, auditeur de palays de pape, being a man of great wisdom, learning, and eloquence." Walsingham speaks of him as, "Vir eloquentissimus et incomparabiliter ultra omnes regni sapientes, sapiens."

‡ Foss, iv. 97. He does not give his authority, and perhaps meant Avignon when he wrote Rome.

may have witnessed the death of the illustrious though infatuated Rienzi. He little thought that he should himself be, like the Roman senator, a victim of popular insurrection; but he may have determined, if such were to be his fate, to meet that death with moral courage and with greater magnanimity.

Sudbury was, at an early period of his life, connected with the party of the Duke of Lancaster, and on his occasional visits to England met, at that prince's court, Chaucer and John Wiclif.

Although his education and early connexions were not what, under the circumstances of the country, we should have desired in an Englishman, yet he sustained so high a character, that no one could object when the pope proposed him for preferment in the English Church. Edward III. having just erected the duchy of Guienne into the principality of Aquitaine, with which he had invested the Prince of Wales, the object of Innocent would be, as indeed it always was, to conciliate the English Government; and, though devoted to French interests, to rely not merely upon the fortifications he had erected at Avignon, but upon his moral influence, for protection against a powerful, if not a dangerous, neighbour. We may feel certain, therefore, that it was with the full consent of the English Government that Sudbury was appointed, in 1360, to the chancellorship of Salisbury; and, two years afterwards, to the see of London.

It will be recollected that, in 1351, the Statute of Provisors enacted, that all persons receiving papal provisions should be liable to imprisonment, and that all preferments to which the pope nominated should be forfeited, for that turn, to the king. But we have often had occasion to remark that, at this period, a law was only put in force when it involved a present or urgent inconvenience. If all parties were satisfied, no one cared

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whether the law was transgressed or not. The order of proceeding in the appointment of Sudbury to the see of London was as follows: The pope proposed him; the king consented; the chapter went through the form of electing; the pope issued a bull claiming the appointment by provision. No inquiries were made. The papal party said he was appointed by provision, the chapter by election, the lawyers by the royal nomination. In the absence of controversy, all parties were satisfied.

Innocent saw the advantage of having a man, who had become almost naturalised in France, at the head of the third see in England; the king found the advantage of having a counsellor, whose acquaintance with foreign politics made him peculiarly useful in the arrangement of truces and treaties of peace. The diplomatic talents and the legal acquirements of Sudbury were called frequently into requisition throughout Edward's reign.

Sudbury, aware that his long residence abroad was calculated to raise a prejudice against him, came to England for his consecration, which took place on the 20th of March, 1362, at St. Paul's Cathedral. William of Wykeham, Bishop of Winchester, officiated on this occasion. Two other bishops were consecrated at the same time: one of them, Simon Langham, was destined, like Sudbury, to become Archbishop of Canterbury; and hence, if we include the consecration of William Whittlesey to the see of Rochester in the preceding month, three bishops were consecrated in the year 1362, each of whom became primates of All England—two of them with the Christian name of Simon, which was also the name of the prelate who at this time occupied the primatial see.

The Bishop of London evinced an amiable disposition, by remembering the place of his nativity, and by becoming a benefactor to Sudbury as soon as he possessed the

means. He rebuilt the west end of the Church of St. Gregory; and he endowed a college of secular priests on the site of his father's house. The church was purchased by himself and his brother John.* He brought his legal knowledge to bear upon the interests of his diocese, of which we find an example in Newcourt's account of St. Bartholomew's Hospital; in a dispute between the master and brethren of the house the bishop acted as arbitrator.†

But, though nothing could be laid to his charge, Sudbury was always an unpopular man. We can account, in some measure, for his not being popular as Bishop of London, from his being frequently employed in foreign embassies; and a non-resident bishop was an insult and an injury to which Londoners would not easily submit. Then, again, although he was an Englishman, he had been educated and chiefly resident abroad; and it was not to be expected that the nominee of an Avignonese pope would be regarded with favour in a country where hatred to the French had become a fanaticism. He was distinguished as a lawyer; and, among the middle and lower classes, the dislike of lawyers was, at this time, only surpassed by their dislike of a Frenchman. The Duke of Lancaster's party was not, when Sudbury was first appointed to the see of London, the unpopular party it soon afterwards became; yet, personally, John of Gaunt was never liked, and to that prince Sudbury was devoted. There was also a brusqueness and want of consideration of others in Sudbury himself, which is always offensive when exhibited by a superior to persons placed in an inferior position of society.

Of Sudbury's manners we have an instance in a story which was told of him in the year 1370. In that year not

* Tanner, Notitia, Suffolk.

† Newcourt, Repertorium, i. 326.

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Kent alone but all England was in a state of excitement at the recurrence of a jubilee (the fourth) of St. Thomas the Martyr. The road to Canterbury was thronged by enthusiastic pilgrims, prepared to offer their devotions at the shrine of England's illustrious saint; by invalids, who expected some miraculous benefit; by semi-penitent sinners, who desired to obtain the indulgences conceded to a pilgrim,—to wipe off old scores, and, having done so, to go and sin again; by hundreds, who sought to combine pleasure with some undefined feeling of religion,—the class of people who now frequent an oratorio, with this difference, that ceremonial had then the charm which is now the effect of music.

On the vigil of the feast, the Bishop of London crossed the path of a party of pilgrims. The procession stopped. A message was sent to the bishop that the pilgrims were awaiting his episcopal benediction, and that they were willing to receive his fatherly instructions and advice.

The bishop looked on the miscellaneous assembly, and told them that he knew their object in undertaking the pilgrimage to be, that they might have their share in the plenary indulgences which had been granted to all who, at this season, should visit the shrine of the martyr. He warned them that these plenary indulgences, except on repentance, were valueless; that they were wasting their time and their money in seeking to obtain what they would find hereafter to be of no avail.

These words gave immense offence to all, but especially to those who, in their alternations of repenting and sinning, sinning and repenting, kept up, as it were, a "debtor" and "creditor" account with the Almighty. They were going into a kind of spiritual insolvent debtors' court, and expected to come out whitewashed. Their anger was the greater because their consciences convinced them, that there was more of truth in the assertions

of the bishop than they were willing to allow. Their anger soon found utterance. Vengeance was imprecated upon the head of him who dared to insult the memory of the glorious martyr. One man, Thomas of Andover, a soldier, bolder than the rest, went up to Sudbury and addressed him: "Why, Lord Bishop, do you dare to stir up the people against St. Thomas? At peril of my life, I foretell that thou shalt end thy days by a death of ignominy." And all the people shouted, "Amen, amen!"

To this prediction, recorded by one who, though he outlived the bishop, may be regarded as his contemporary, the reader is at liberty to assign the probable date. The circumstance is here mentioned as an example of want of judgment and tact on the part of Sudbury. What he said was true, and to assert the truth was right; but a truth which runs counter to the prejudices of the people should be introduced in the tone of friendly admonition, and not in that of provocative declamation.

The story is important in another point of view. The sentiments of Sudbury on this point were in advance of his age; and it is clear that he had profited by the various conversations and discussions he must have frequently had, in the palace of the Duke of Lancaster, with Dr. John Wiclif. Wiclif was, at this time, in high favour. He was chaplain to the king; he was a dignitary of the Church; he was a Doctor of Divinity. Among the schoolmen he ranked with the most erudite. Although some of his opinions were treated as eccentric, yet so far was he from being regarded with suspicion, that Gregory XI., in confirming the appointments of Wiclif, commended his great learning and his spotless life. Sudbury and he were united by party ties to the Duke of Lancaster, or, as he was at this time styled in public documents, the King of

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Castile.* They were both of them determined to exert themselves with a view to correct what was amiss in the Church, though neither of them had, as yet, decided upon the extent of the evil or the nature of the remedy. Both of them were lawyers; both of them were skilled in the arts of diplomacy. In the character of lawyers, diplomatists, and divines they were associated in the embassy which accompanied John of Gaunt to Bruges, in the year 1374.

In the life of Whittlesey mention has been made of a remonstrance addressed to the pope, by the civil and ecclesiastical authorities in England, on the subject of the wrongs done to their Church, through papal reservations and provisions. The result of this was an offer on the part of the pope, to hold a congress on the subject, in any place that the King of England might appoint.

The answer of the pope having been regarded as unsatisfactory and evasive, the king had caused an exact estimate to be made of the number and value of English benefices held by foreigners; and negotiations having been opened through the mediation of the pope, for an armistice between England and France, it was thought expedient, with these authenticated facts in the possession of the ambassadors, to come, if possible, to a definite understanding with the papal government.

The embassy was conducted on a scale of great magnificence. At the head of it was John of Gaunt, styling himself King of Castile, called by the people "My Lord of Spain," but acting now as Duke of Lancaster. With him were associated, among others, the Earl of Salisbury, Simon Lord Bishop of London, and the king's chaplain, Dr. John Wiclif. The Dukes of Anjou and Burgundy

* Although his title in public documents at this time was King of Castile, I shall generally speak of him as Duke of Lancaster, or John of Gaunt, the titles by which he is best known in English History.

represented the French interest. The Archbishop of Ravenna and the Bishop of Carpentras represented the pope, who was sincere in his desire to effect a good understanding between England and France. The congress was to be held at Bruges, an emporium connected by its woollen manufactures with the commerce of England.

The congress opened its proceedings in the August of 1374, and they were protracted over the space of two years. There was no exception to the fatality which has almost invariably attended English diplomacy. What wisdom and valour have won, faction has too often conceded to the enemy. The nation has had to suffer that, in the domestic warfare, a party might triumph. The result of the negotiations was so unfavourable to England, however, as to defeat the object of the Duke of Lancaster's party, which was overwhelmed by popular indignation. The nation may be said to have risen against that party *en masse*, and it was dismissed from office. In church affairs the pope triumphed over the king. The pope's object was to nullify, if possible, the Statute of Provisors, so directly opposed to the papal interests and the policy of the Court of Avignon. The pope undertook to refrain from reservations, but the king, on his part, entered into an engagement not to make any more appointments by writ of *Quare Impedit*.* Gregory XI. revoked the reservations of Urban, the king stipulating to remit the penalties contracted under the Statute of Provisors, so far as to permit the aliens at that time in possession of English benefices, to retain them.

That in these disgraceful proceedings Sudbury took, though not an ostensible, yet an active part we may at once infer from his reward. On the death of Archbishop Whittlesey, the chapter of Canterbury elected and pos-

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* The six bulls published on this occasion may be seen in the *Fœdera ad. an. 1375.*

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tulated Cardinal Langham. The king, under the Duke of Lancaster's influence, determined to appoint Sudbury; and at the same determination the pope had himself arrived. The power of translation still remained with him, and he signified his readiness to translate the Bishop of London to the primatial see. The chapter, unsupported by the government, could not resist.* But Sudbury was to pay for the honours he obtained, and he was himself to obtain that payment from other purses than his own. The pope, under various pretences, had demanded a subsidy of 100,000 florins of the English clergy, and the payment of this subsidy Sudbury was pledged to enforce. The English clergy resisted the payment, and though the archbishop threatened the recusants with excommunication, the parliament came to their rescue.† It was, indeed, this demand that caused the final overthrow of Lancaster's ministry. Simon, to his astonishment, received a royal brief commanding him, "if any letters, bulls, or other writings whatsoever, prejudicial to the king or his subjects, should be brought to him, immediately on the receipt thereof to send them safely and securely to the Privy Council."‡ Another brief to the same effect, written in Norman-French, we still possess. We have also the archbishop's answer to them, promising compliance.§

A change of ministry had, in fact, taken place. To

* A title of the primate at this time may be observed in a subsidy roll given in Wilkins, iii. 141, where he is described as "Monseigneur Lerevesque de Canterbirs."

† In March 1373 the pope wrote from Avignon to Wykeham, importuning him to use his good offices in this matter. He offers to accept 60,000 florins, on the proviso that, if peace were established, the remaining 40,000 should be paid. Walcot, "William of Wykeham and his Colleagues," 46. The importunity shows how much the papal court stood in need of money, and how difficult it was to obtain it.

‡ Wilkins, iii. 107.

§ Ibid. iii. 108.

please the royal mistress, Alice Perrers, the Duke of Lancaster had gone too far. The affairs of the country could not be carried on if the aged and experienced counsellors of the king were to be excluded from office, merely because they held ecclesiastical benefices; and all this to please the royal mistress, who, though a lady of great talent as well as of surpassing beauty, had not comported herself, even in political affairs, with sufficient discretion. She gave offence by assuming the airs and authority of a queen-consort, and by adding to the expenses of a court always reckless on the score of expenditure. The Prince of Wales had returned to England, and suspecting, was naturally alarmed at, his brother's ambition. He determined, therefore, to employ his influence (which was still great) with the king to break up the party of the Duke of Lancaster. He called to his councils his father's wise old friend, William of Wykeham. The course on which he determined was to secure a parliament subservient to his views, and to obtain the dismissal of Alice Perrers. The Bishop of St. David's was appointed Lord High Chancellor, the Bishop of Worcester Lord High Treasurer; and at the latter end of April, 1376, the "Good Parliament" sat at Westminster. That this parliament deserved the title of "good," which was given to it by the people, any one may be convinced who will take the trouble to consult the Rolls of Parliament.* To guard against the undue influence of the king's mistress, the parliament, under the advice of the heir-apparent, petitioned the king to augment his council to the number of ten or twelve. It was to consist of certain great lords and prelates, who were to be continually near the royal person: six were to form the quorum, without whose advice and consent no business was to be transacted.

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* Rot. Parl. 50, Edw. III.

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Lord Latimer, the Duke of Lancaster's chief adviser and agent, was imprisoned, and Alice Perrers was banished the court. An ordinance was made which implies the great offence by which she gave umbrage to the nation. It enacted that no woman, especially Alice Perrers, should solicit or prosecute business in the king's courts, by way of maintenance, on pain of forfeiture and exile.

The party of the Duke of Lancaster, which had excluded the clergy from the government, had succumbed to the pope, and, to win his support, had advised a virtual repeal of the Statute of Provisors by an exercise of the royal prerogative ; while the parliament convened by the influence of the clergy, with the Bishop of St. David's at its head, in its petition for redress of grievances to the crown, used stronger language and proposed stronger measures against the pope, than had been employed or suggested by any preceding parliament, or by any government, however hostile to foreign interference. Allowing for the exaggerations incident to a party statement, and remembering that the object of the clergy was to prevail on the civil government to defend them from the aggressions upon their property by the pope, the document is valuable, as showing the sad condition of the Church at this period. The remonstrance affirms—

That the tax paid to the Pope of Rome for ecclesiastical dignities doth amount to fivefold as much as the tax of all the profits as appertain to the king, by the year, of this whole realm ; and for some one bishopric, or other dignity, the pope, by way of translation and death, hath three, four, or five several taxes : that the brokers of that sinful city, for money, promote many caitiffs, being altogether unlearned and unworthy, to a thousand marcs living yearly, whereas the learned and worthy can hardly obtain twenty marcs ; whereby learning decayeth. That aliens, enemies to this land, who never saw nor care to see their parishioners, have those livings ; whereby they despise God's service, and convey away the treasure of the realm, and are worse than

Jews or Saracens. It is therefore, say they, to be considered that the law of the Church would have such livings bestowed for charity only, without praying or paying: that reason would that livings given of devotion should be bestowed in hospitality; that God hath given His sheep to the pope to be pastured, and not shorn or shaven: that lay-patrons, perceiving this simony and covetousness of the pope, do thereby learn to sell their benefices to beasts, no otherwise than Christ was sold to the Jews: that there is none so rich a prince in Christendom, who hath the fourth part of so much treasure as the pope hath out of this realm, for churches, most sinfully. They further remonstrated that the pope's collector, and other strangers, the king's enemies, and only leiger spies for English dignities, and disclosing the secrets of the realm, ought to be discharged: that the same collector, being also receiver of the pope's pence, keepeth an house in London, with clerks and officers thereunto belonging, as if it were one of the king's solemn courts, transporting yearly to the pope twenty thousand marcs, and most commonly more: that cardinals and other aliens remaining at the Court of Rome, whereof one cardinal is a Dean of York, another of Salisbury, another of Lincoln, another Archdeacon of Canterbury, another Archdeacon of Durham, another Archdeacon of Suffolk, and another Archdeacon of York; another Prebendary of Thame and Nassington, another Prebendary of York, in the diocese of York, have divers other the best dignities in England, and have sent over yearly unto them twenty thousand marcs, over and above that which English brokers lying here have: that the pope, to ransom Frenchmen, the king's enemies, who defend Lombardy for him, doth always, at his pleasure, levy a subsidy of the whole clergy of England: that the pope, for more gain, maketh sundry translations of all the bishoprics and other dignities within the realm: that the pope's collector hath this year taken to his use the firstfruits of all benefices: that therefore it would be good to renew all the statutes against provisions from Rome, since the pope reserveth all the benefices of the world for his own proper gift, and hath within this year created twelve new cardinals; so that now there are thirty, whereas there were wont to be but twelve in all, and all the said thirty cardinals, except two or three, are the king's enemies.

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It inferred that the pontiffs, unless a timely check were provided, would soon assume a right to confer upon their creatures not ecclesiastical preferments only, but the estates of the landed gentry. This insinuation or attempt to alarm the gentry is sufficient to show the clerical origin of the petition. It went on to aver that, for the protection of the realm against these practices which threatened to render its present embarrassments perpetual, the provisions of the pope should be strenuously resisted; that no papal collector or proctor should be permitted to remain in England, upon pain of life and limb; and that no Englishman, under like penalty, should become such collector, or remain at the Court of Rome.*

Such was the state of affairs when Sudbury arrived in England. He had remained in Flanders until the ambassadors were recalled; but he had ordered extensive preparations to be made for his enthronization. Under the wise economy of Archbishop Islip, and the long illness and, in consequence, the retired life of Archbishop Whittlesey, the estates of the archbishopric had been nursed, and they were now in a flourishing condition. Archbishop Sudbury, knowing his unpopularity as a minister of state, determined, by a generous expenditure of his money, to purchase, if possible, the goodwill of the people: he spared no expense. When all things were ready for his reception he set sail, and landed at Sandwich on the 1st of March, 1376. On the following Sunday, being Palm Sunday, the 6th of April, he was enthroned at Canterbury. It sounds strange to modern ears to hear that, at such a season, the enthronization was conducted with a splendour and magnificence which reminded the older inhabitants of Canterbury of former times, and which made up for the curtailments to which

* Cotton's Abridgment.

the enthronization of his immediate predecessors had been subjected.* The sacredness of the season did not interfere with the hilarity of the guests; it only called into play the artistic skill of cooks and confectioners. Fish only was to be eaten: but the variety of dishes in which the various kinds of fish were concocted, and the gratification afforded to that class of gourmands who in modern advertisements are described as "the curious in fish sauce," left the guests, unstinted as they were in their consumption of wine, no cause of complaint. The Earl of Stafford was the archbishop's high-steward. The great earl scorned not, as modern sizars or servitors, to place the first dish upon the high table; and his retainers, riding round the hall, by their skilful horsemanship, jokes, and repartees, increased the merriment while they preserved the order of the feast, and acted as a police.

The age was one in which Gothic architecture was brought to its perfection, and everyone was interested in the erection of public works. Of the munificence of a predecessor of Sudbury, Archbishop Langham, the monks of Westminster were still speaking with admiration and gratitude. William of Wykeham was almost rebuilding Winchester; and Simon of Sudbury determined that he would make Canterbury Cathedral his monument *ære perennius*. He consulted the monks; he had plans drawn up; he offered a large contribution from his own resources; and in 1378, he issued a mandate to all ecclesiastical persons in his diocese to obtain subscriptions towards the rebuilding of the nave.† According to Battely and other Canterbury archæologists, he built the transepts, but this is probably a mistake. He erected the west gate of the city, together with the greatest part of

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* Palm Sunday was, of course, a festival, but the festivities were prolonged into the week.

† Ex. Reg. Sudbury, fol. 52.

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the wall between it and Northgate, commonly called Long Wall. It was a costly work, in remembrance of which the mayor and aldermen, down to the time of the Reformation, were accustomed annually to visit his tomb, there to pray for the repose of his soul.*

He not only attended to the external works of the cathedral; he commenced his visitation, on the 2nd of January 1376, by visiting the prior and convent. Some of the orders which he gave throw light upon conventual life; and I present the reader with an abstract. "He decreed and ordained that the Feast of the Epiphany should be a principal feast in the Church. To this the prior and chapter consented. Also that officials should come to matins, and that the lessons should be studied beforehand. Also he decreed and ordained, that the infirmary be repaired; and that each sick person should have daily, in addition to the common necessaries of life, one large allowance; and that the sick should have a warden and be provided with medicines and remedies. He charged the prior that the convent be better provided in the office of chamberlain; † that it be pro-

* See Battely and Hasted. Professor Willis has the following remarks:—"In the life of Simon Sudbury, which Wharton has extracted from the 'Speculum Parvulorum,' and which he tells us is the work of William Chartham, a monk of Canterbury in 1448 (Ang. Sac. i. pp. xx. and 49), it is related that Sudbury built 'two aisles in the posterior' (*i.e.* western) 'part of the church,' duas alas enim in parte posteriori ejusdem Ecclesie. Necnon Portam Occidentalem Civitatis a fundamentis et muros ejusdem tunc quasi præcipites erexit, et fieri fecit sumptibus propriis et expensis.' These must be the aisles of the nave, which were probably begun before the death of Sudbury, and perhaps carried on afterwards from his funds. However the Obituary, which minutely records the works of other archbishops, is silent with respect to Sudbury's."—Willis, Architectural Hist. of Cant. Cath. 121.

† The duties of the *camerarius* were very extensive. Vide Ducange, Gloss. sub voce. Lanfranc, in the Rules for the Order of St. Benedict, thus defines them:—"Camerarii est procurare omnia vestimenta et cal-

vided in the offices of "bercenarius" and "garwentarius;" that the former fraud with respect to measures be abolished in them. He charged the prior that the chambers newly discovered be removed; that the cellarer should more diligently provide, by himself and his servitors, for the victuals of the convent. He charged him to whom it pertains, that women should not come into the kitchen, or other offices, seeking alms; that it should be provided that the due allowances of a dead monk be not withdrawn during the year after his decease; that the monks should not have horses of their own; that measures should be taken for better restoring the manorhouses. He ordered that the common seal should be better kept, and that all important muniments passing under the seal should be registered. He directed that the keepers of the shrine of St. Thomas should not be too frequently changed, that the offerings due to the monks by the doorkeepers be not withdrawn, and that better custody be provided for the image of the Blessed Mary, under the croft. He commanded that no monk should cause his vestments to be made in a country house, or take his meals there, but when the parents of monks visited them they should be suitably received in the monastery. He gave directions that the precentor shall cause the books pertaining to his office to be repaired. He charged the prior that he should cause the kitchen and the dormitory to be repaired. He advised that the prior and convent should consult among themselves how they might be able to live within their income, so that the offerings made in the church might be divided for the liquidation of their

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ceamenta, et lectos, et stramenta lectorum . . . rasoria et forfices, tersoria ad radendum . . . dat ferra, quibus ferrantur equi Abbatis et Prioris, omnium hospitium, &c." But in the Book of the Order of St. Victor this officer is described as having also the care of the monastic revenues, lands, and cattle.

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debts, amounting to £1500, and for the formation of a fabric fund. He enjoined them that they should abstain from quarrels and detractations, and that they should rather affect the common than individual good ; that they should aim not at increase of power, but to become useful. These articles being thus made, recited, agreed on, and enjoined by our lord, he reserved what was not completed by his said visitation until his next return to Canterbury. And so he blessed the monks, and departed from the chapter-house aforesaid." *

On the death of the Prince of Wales, on the 8th of June 1376, another change of ministry took place. Alice Perrers having regained her ascendancy at court, the Duke of Lancaster was restored to power. Immediately, the persons who had been prominent in the "Good Parliament" were attacked and impeached ; and foremost among them was William of Wykeham, to whose advice the imbecile king, through habit, deferred if Alice Perrers was not present to counteract his influence.† The conduct of Sudbury at this trying crisis was firm and judicious. He did not take an active part in public affairs, and he wished to confine himself to his spiritual duties. Nevertheless, when he summoned a convocation, to meet in February 1377, he betrayed his party bias and injustice by not issuing a summons to the Bishop of Winchester. The convocation therefore met under feelings of indignation and excitement against the primate and the government. Headed by Courtenay, Bishop of

* Ex. Reg. Sudbury, fol. 32 a. Wilkins, iii. 111.

† The imbecility of Edward III. towards the close of his reign must have been greater than is generally supposed. He seems to have been a mere puppet, moved as they chose by those who were in attendance upon him. William of Wykeham's personal influence with his royal master was great : hence the direct object with either party was, on the one side to remove the Bishop of Winchester, and on the other Alice Perrers, from the court.

London, they refused to vote a subsidy until the Bishop of Winchester was among them. How could they deal with the property of the Church when so large a proprietor was absent? In a pointed manner they informed the archbishop that they regarded the treatment of the Bishop of Winchester as an insult to the clergy, and an attack upon the liberties of the Church. This they required their president to state to the king, and to represent the grievances to which the illustrious prelate was subjected. Amidst the manors attached to his church he had not, it was said, where to lay his head; and he was forbidden, as by the command of our lord the king, to make his abode in any of the monasteries, priories, or other places of his diocese, foundation, and patronage. The jurisdiction of the Church was thus infringed, and the execution of the pastoral office of the bishop interrupted.

This was so direct an attack upon the government that the primate hesitated to act. But the convocation was unanimous and urgent; and Sudbury at last managed things so skilfully, that, having encouraged the statement of other grievances, he yielded at length to lay them all before the king, the case of the Bishop of Winchester being only *one* of the many things complained of. Every other petition was granted, and to that alone which related to the Bishop of Winchester no answer was returned.

The archbishop, however, had time to consult his friends; and, finding that no subsidy would be obtained, unless the Bishop of Winchester were present, it was at length agreed that he should receive a summons. William of Wykeham had been accustomed to attend parliament and convocation with the splendid retinue, which became his high rank; but, with the good taste and tact which he always displayed, he arrived at Southwark on

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this occasion with but few followers. He needed not, indeed, a large attendance, since the enthusiasm of the clergy and laity, when he first made his appearance, attested the respect in which he was universally held,* and was in itself sufficient to account for the desire of his opponents to keep him in the background.

The archbishop was present at another convocation, when the Bishop of London, for party purposes, and not on religious grounds, accused Dr. Wiclif of heresy. The extreme violence of the Duke of Lancaster when his partisan was assailed, the rising of the Londoners to defend their bishop, and the dangers to which all were exposed who ventured to side with the unpopular "Prince of Spain,"—these things will be more fully narrated in the life of Courtenay. We have only here to remark that Archbishop Sudbury looked on in silence, and learned wisdom from experience.

Evil reports and surmises of the designs of the Duke of Lancaster upon the crown, rendered his party yet more unpopular; and if he ever entertained the design of setting aside the son of the Black Prince, he was certainly not strong enough, on the death of Edward III., to attempt it.† It was felt, under these circumstances, to be politic

* Rot. Parl. 51. Edw. III. ii. 373. Wilkins, iii. 104. Regist. Wykeham, pt. 3, fol. 6. "He came to London with a small number of servants, who beforetyme was thought to excell all others in the multitude of servaunts. He was joyfully received by hys fellow bishops, and, as became such a person, greatly honoured." MS. Harleian, No. 6,217, c. 21.

† Of these reports the duke complained in the first parliament of Richard II. Rot. Parl. i. Ric. 2, tit. 14. But the report circulated not only, as he said, among the commons of England, but in France. Mon. Evesham, in Vit. Ric. II. Hearn. In MS. Harleian, No. 6,217, it is said that the Duke of Lancaster proposed to the parliament of the fifty-first of Edward III. to deliberate as to the succession to the crown after the late Prince of Wales's son, and as to the propriety of excluding women. See also Parker. There may have been no truth in the report; or the report may have been raised to see how it would be taken.

to conduct the coronation of the young king on a scale of more than usual magnificence; the duke hoped, by the zeal he then displayed in doing honour to his nephew, to dissipate all suspicion. The description of the ceremonial in Walsingham, and in the "Liber Custumarum," is so minute, that the coronation ceremonies of Richard II. have formed a precedent which is still observed.* No time was lost. King Edward III. died on the 21st of June 1377, and the coronation of Richard II., then in the twelfth year of his age, took place on the 16th of the following July.

The archbishop went to the palace at Westminster to be prepared to receive him. The procession from the Tower had taken place on the day preceding. After having fortified themselves with a public breakfast, or dinner,—post prandium,—the mayor and the civic authorities, attended by a splendid cavalcade, appeared before the gates of the Tower. The gates were thrown open, and surrounded by the magnates of the realm, escorted by a large bodyguard of armed men and servants in livery, preceded by heralds-at-arms in their embroidered coats, the royal youth came forth, arrayed in a robe of white satin, and seated on a magnificent charger, the bridle of which was held by Sir Nicolas Bond.† The

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* In the custody of the Dean of Westminster there is a valuable volume, called the "Liber Regalis," with illuminations. It contains the offices (i.) of a king crowned; (ii.) of a king and queen crowned together; (iii.) of a queen crowned alone; (iv.) of a king lying in state. A facsimile with a description of the book is given by Mr. Westwood in his "Palæographia Sacra;" and, according to Mr. Maskell, the date of the manuscript cannot be later than the reign of Richard II., for whose coronation it is supposed to have been written.

† In the Issue Rolls, 206, we find the following entry, under the first year of Richard II.:—"5th April.—To Sir Alured de Veer, Knight, by two tallies raised this day, containing £100, paid to the said Alured in discharge of £200 which the Lord the King commanded to be paid him

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trumpets sounded, and the bands played—cum tubis et universis aliis modis modulationum—he passed through Cheapside and Fleet Street—“per publicos vicos Londoniarum usque stratum nobile vocatum, ‘le Chepe’ de Londoniis et abinde usque Flete Strete;” and when he arrived at the palace of Westminster, he entered the hall, and, going up to the marble table, he called for wine. He drank merrily and freely with his thirsty nobles, and retired, fatigued, to his private apartments.

Early in the morning the archbishop’s procession was formed. His cross was borne before him, and he was attended by his suffragans and other prelates, mitred and carrying their pastoral staves. An immense concourse of people were gathered round Westminster Hall; and, as the prelates approached, they bent the knee, and the primate, making the sign of the cross, waved his benediction upon the kneeling throng. The king had already left the Whitehall, and having entered Westminster Hall, preceded by the great officers of state and the peers, had taken his seat upon the marble chair or king’s bench, at

of his gift for a charger which the same Lord King had of the gift of the said Alured, and upon which charger the same Lord the King rode from the City of London to Westminster at his coronation. By writ of Privy Seal, among the mandates of this time—£100.” Thus early did Richard display his taste for costly and high-bred horses, of which, with reference to his celebrated horse Barbary, Shakspeare makes such affecting use when Richard became the prisoner of Bolingbroke:—

King Rich.—Rode he on Barbary? Tell me, gentle friend,
How went he with him?

Groom.—So proudly as if he disdained the ground.

King Rich.—So proud that Bolingbroke was on his back!
The jade hath eat bread of my royal hand;
This hand hath made him proud with clapping him.
Would he not stumble? Would he not fall down,
Since Pride must have a fall, and break the neck
Of that proud man that did usurp his back?

that time covered with cloth of gold.* When the prelates and clergy appeared, his attendants rose, and formed a procession, in which the king walked last, in his royal robes. The causeway was covered with scarlet cloth, and over the king, by the barons of the Cinque Ports,† was held a canopy of blue silk, tinkling with silver bells, and glittering with burnished spearheads of the same precious metal. The antiphonal chant was resumed. The reader who has the curiosity to compare the account given of this coronation in the two works just mentioned with "The Office for the Coronation," as it was used for George IV., William IV., and Queen Victoria, will be interested to observe that the same solemn form of accepting, anointing, and crowning the Sovereigns of England has at all times prevailed, those changes only taking place which an alteration of circumstances, in every reign, may have rendered necessary.‡

Of the feast which succeeded the coronation the description is also given; and of a mediæval festivity those who were present at Westminster Hall when George IV. feasted his nobles may be able to form some idea, even to

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* "At the upper end of this hall," says Stow, "is a long marble stone, of twelve feet in length and three feet in breadth. And there also is a marble chair, where the kings of England formerly sate at their coronation dinners; and at other solemn times, the lord chancellor; but now not to be seen, being built over by the two courts of chancery and king's bench."—Stow, "Survey of London."

† According to Knighton, col. 2424, the privileges of the Cinque Ports were first granted to them by King John, on condition of their being always ready to provide him with ships to pass over to the Continent: "*Causa cujus dotationis adhuc clamant liberiores esse præ cæteris portubus regni Angliæ.*"

‡ The Order of the Coronation of King Ethelred, A.D. 978, is preserved in the British Museum. Cotton MS. Claudius A. iii. In the same volume is the Order of the Coronation of Henry I. In the Bodleian MS. Rawl. c. 425, is the Order of the Coronation of Edward II. A comparison of the various offices is to be found in Maskell.

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the scramble which took place, when all was over, for every fragment of food or furniture which was left, in which he who writes these lines took part.

On the 13th of October parliament met. It was opened by the archbishop with a speech founded upon the text, Matt. xxi. 5, "Behold, thy king cometh unto thee!" He divided his subject into three heads, even as there are three reasons why a friend should come. He may come to rejoice and make merry, and to receive the congratulations of his host on the occurrence of some unexpected blessing, as was the case with the Virgin Mary when she visited Elizabeth, and *exultavit infans in utero ejus*: or else one friend may come to condole with another, in the season of affliction, as did the friends of Job: or he may come to make proof of our friendship, as saith the Scripture, "*in necessitate probabitur amicus.*" So now, for all of these reasons, the king, our undoubted liege lord, has come to meet his parliament. He comes, first, to rejoice with you for that, by the grace of God, he ascends the throne as its direct heir, and to thank you for the goodwill towards him which you have expressed. Secondly, he comes to condole with you, not only on the death of the noble king his grandfather, but also on account of the depredations committed by the enemy upon the English coasts, and of the losses sustained elsewhere. He comes to proffer his assistance, and, at the same time, to confirm all the liberties of his people, to maintain the laws and peace of the kingdom, and to redress any wrongs that may have been committed. Thirdly, he comes to put your loyalty to the proof: he requires your counsel and advice for the suppression of the enemy, and he asks your pecuniary aid to enable him to accomplish what he designs against the enemy.

By this parliament we may say that the party of the

Duke of Lancaster was, for a season at least, annihilated. He himself had gone into retirement. A council of nine persons was chosen to conduct the government, and these were the Bishop of London (Courtenay), the Bishop of Carlisle (Appleby), and the Bishop of Salisbury (Erghum), the Earls of March and of Stafford, Sir John Stafford, Sir Henry Scrope, Sir John Devereux, and Sir Hugh Segrave. The exclusion of the Archbishop of Canterbury was something very like an insult. The present parliament consisted chiefly of the members of the Good Parliament, who had been re-elected, and re-enacted many of the laws which the Duke of Lancaster had caused to be neglected or repealed. It is necessary to remind the reader that the party now in power was that which sided with the prelates and clergy of the Church of England, but was opposed to the papacy; by which it was contended that the bishops and clergy were robbed and wronged, not only to the detriment of the clergy, but to the damage also of the country at large. The Duke of Lancaster's party was opposed to the clergy and the prelates of England, and he himself, for the purpose of obtaining a triumph over the English hierarchy, would have yielded much to the pope. Sudbury's position was a difficult one. He was prepared to support the pope, but still he had a desire to conciliate his own suffragans and clergy, by endeavouring to convince them that they must make common cause against the new reformers, who were assailing both.

When Sudbury and Wiclif parted at Bruges, they parted never again to meet as friends. During the two years of their residence in Flanders, Sudbury, whatever may have been his opinions in former times, had advanced in what we may call the conservative direction—Wiclif in the direction of a reformer. Until he went to Bruges, Wiclif had experienced the toleration extended

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generally to schoolmen, who were permitted to indulge in freedom of speech so long as they were supposed to be loyal to the Church. He had been regarded as eccentric rather than heretical—as troublesome rather than dangerous; but from this time, he was pursued with such persevering malignity by the papal party, that we conclude that, indignant at what he had witnessed in his intercourse with the papal authorities, he had denounced what he condemned, in his usual impetuous, honest, outspoken style, and so had made himself especially obnoxious. In England, however, he continued to be popular, in spite of his connexion with the Duke of Lancaster, as persons opposed to constituted authorities, good or bad, generally are. On the other hand, his connexion with the Duke of Lancaster rendered the archbishop unwilling to take any measures against him, although repeatedly urged to do so. The cry raised against the English bishops by the monks and the mendicants was, that they were lukewarm and negligent of their duty. The truth is, that they were, many of them, too much engaged in politics to concern themselves much about religious doctrine; and, being indifferent, they only desired peace until, by opposition, their passions were excited.*

By the men of learning, especially in the University of Oxford, Wiclif was, at this time, very generally supported; and although, on the one side, a religious party was clamouring for episcopal interference, the archbishop was well aware that if, in obedience to this demand, he were to take any steps against his old acquaintance, he would excite a painful opposition.

* The reader has only to consult the pages of Walsingham to see how indignantly a large class of thoughtful Christians accused the bishops of lukewarmness for not proceeding against Wiclif. For this neglect Walsingham considers, that Sudbury brought down upon his devoted head the wrath of Heaven. See Walsingham, ii. 11, 12. Ed. Riley. He also brings the same charges against the universities. *Ibid.* i. 345.

He determined to let things take their chance, until the arrival, in the spring of 1377, of three bulls from the Pope of Avignon. They were dated the 11th May, and were addressed to Simon, Archbishop of Canterbury, and to William, Bishop of London. Complaint is made, in these bulls, of the laxity of the English prelates, the more to be noticed from the contrast they presented to the conduct of their forefathers, when among the English clergy were to be found men enriched with a pure knowledge of the Bible, holy and devout men, champions of orthodoxy;—watchmen ever careful against any approach of errors damaging to their flocks,—who when tares were sown were the first to pluck them out. But now—*proh dolor*—in this very kingdom, the watchmen, negligent and slothful, instead of keeping watch and ward in the city, have permitted the enemy to enter, and to make devastation of the souls of men. This was the more to be remarked, for that, while the evil remained unopposed in England, the secret approaches of the enemy and his open attacks were first perceived at Rome, distant as that city is.* The pope, having thus reproached the bishops of the Church of England for that lukewarmness of which zealots were accusing them in their own country, proceeds to say that information had reached him, from several persons worthy of credit, that John Wiclif, Rector of Lutterworth, in the diocese of Lincoln, and professor of the sacred page—(it were well if he were not master of errors),†—had been insane enough

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* This reproach of the pope confirms the statements in Walsingham, and the fact (to which the reader's attention has been called) that, at the early period of Wiclif's career, the bishops of the Church of England had no intention whatever of persecuting him: pressure from without was brought to bear upon them.

† "Johannes Wiclif, Rector ecclesie de Lutterworth, Lincolnensis dioc. sacrae pagine professor—utinam non magister errorum." This little joke seems out of place in so grave a document.

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to assert, to dogmatize upon, and publicly to preach certain propositions and conclusions adverse to the truth, and utterly subversive of the Church. They savoured, he said, of the perversity and ignorance of Marcellus of Padua and John of Ganduno, of accursed memory, both of them having been anathematized by John XXII. He again adverted to the remissness of the English bishops in not noticing these things. "So far as we know," he continues, "not a single effort has been made for the extirpation of these evils. *They have been passed over, tolerated, winked at:—yes, you and the other prelates of the Church of England, you who ought to be pillars of the Church, defenders of the faith, you have winked at them! You ought to be covered with shame and blushing, you ought to be conscience-stricken, for thus passing over these iniquities!*"* He enclosed a schedule, consisting of a catena of the errors and heresies of Wiclif; and as the English bishops would not act for themselves, he commissions the Archbishop of Canterbury and the Bishop of London to act in his name, and as his delegates privately to inform themselves as to the truth of the charges brought against Wiclif. If they found the case to be as was stated, they were, in the pope's name and by his authority, to arrest John Wiclif. They were to receive

* Walsingham, i. 351. Edit. Riley. The passage is important as confirming the statements made in the text. The biographers of Wiclif omit it in the abstracts they give of the bulls, and are perplexed to understand the conduct of the bishops. They are eloquent in their vituperations against the bulls and the two prelates who were commissioned to act on their provisions. A writer is intelligible when he contends that no one has a right to sit in judgment on the opinions of another, even though he preach atheism. But admitting, as all did at that time, that the pope was called upon to interpose, we do not see how he could have done less than he did on this occasion. The bulls do not deserve that eloquence of vituperation which we find in their pages.

his confession, and to transmit both that and his explanations to the pope, sealed with their seals, and to be conveyed through a trusty messenger. The said John himself they were to detain, until they had received further instruction.

Although the pope was at Rome, 1376-1378, and the bull was dated there, yet Gregory XI. was really an Avignese pope, and he was aware that it was questionable how a bull emanating from him would be received in England. He was desirous, therefore, of alarming the king's government; and the archbishop and the bishop were directed to warn the king and nobles of England, that the principles of Wiclif were subversive of all civil governments, as well as ecclesiastical,—and would, if unchecked, prove the utter destruction of polity or government. A third bull, having the same date, directed the archbishop and the bishop, if they could not apprehend John Wiclif, to fix a citation in all public places, requiring him to appear personally before the pope, within three months, to be reckoned from the day of the date of the citation.

At the same time, the pope addressed a letter to the king, Edward III., repeating, in part, what he had said against Wiclif in the letter addressed to the archbishop; informing the king that the pope had issued a commission to the Archbishop of Canterbury and the Bishop of London, to act as his delegates, and to enter into a prosecution of Wiclif in the pope's name, and strongly urging the king to extend to his commissioners his royal grace and protection.

The pope sent, at the same time, by the hands of a special messenger, Edmund Stafford, a bull to the University of Oxford. He expressed his astonishment and grief, that, notwithstanding the privileges granted to them by the apostolic see, they had, through sloth and negligence, permitted tares to spring up among the pure wheat sown in that glorious field, their University; that they had

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even, without an attempt to eradicate them, suffered them to ripen ; that, to his yet deeper affliction, these tares had been discovered at Rome, before they were even noticed in England, where they ought, long since, to have been extirpated. He then repeats what he had said to the archbishop, that the doctrines of Wiclif tended to the subversion of both church and state ; and he threatened to deprive the university of all graces, indulgences, and privileges hitherto granted to them, if they continued to permit the teaching of such doctrines. He required them to cause the person of Wiclif to be committed to the custody of the Archbishop of Canterbury or the Bishop of London ; and should others, defiled by his errors, attempt a resistance to this mandate, it was required that, with respect to them, the same summary methods should be adopted.

The enclosed schedule was a catena of Wiclif's errors, drawn up by the mendicants :

1. The whole race of men concurring, without Christ, have not the power of simply ordaining that Peter and all his followers should rule over the world politically for ever.

2. God cannot give civil dominion to a man for himself and his heirs *in perpetuum*. *

3. Charters of human invention, concerning perpetual inheritance in times past, are impossible.

4. Every one being in grace, justifying finally, not only hath a right unto, but in fact hath, all the things of God.

5. A man can only ministerially give to a natural son, or to a son of imitation, in Christ's school, either temporal dominion or eternal.

6. If God be, temporal lords can lawfully and meritoriously take away the goods of fortune from a delinquent church.

7. Whether the church be in such a state or not does not pertain to me to discuss, but belongs to temporal lords to examine ; and if they find it in such condition, to act confidently, and, on pain of eternal damnation, to take away its temporalities.

8. We know that it is not possible that the vicar of Christ, merely by his bulls, or by them together with his own will and consent, and that of his college, can qualify or disqualify any man.

9. It is not possible that a man should be excommunicated, unless first and principally he be excommunicated by himself.

10. Nobody is excommunicated to his damage, suspended, or punished with other censures, unless in the cause of God.

11. Cursing or excommunication doth not bind simply, unless in so far as it is used against an adversary of the law of Christ.

12. There is no power authorised by Christ, or his disciples, of excommunicating subjects chiefly for refusing temporalities, but the contrary.

13. The disciples of Christ have no power coactively to exact temporalities by censures.

14. It is not possible, by the absolute power of God, that, if the pope or any other pretend that he bind or loose in any way, he doth therefore bind or loose.

15. We ought to believe that then only he doth bind or loose, when he conformeth himself to the law of Christ.

16. This ought to be universally believed, that every priest rightly ordained hath power sufficiently of administering any of the sacraments, and, by consequence, of absolving any contrite person from any sin.

17. It is lawful for kings to take away temporalities from ecclesiastics who habitually misuse them.

18. If temporal lords, or holy popes, or holy persons, or Peter, or the Head of the Church, who is Christ, shall have endowed the Church with the goods of fortune or of grace, and shall have excommunicated those who take away its temporalities, yet it is lawful, through the condition implied, to deprive it of its temporalities for a proportionable offence.

19. An ecclesiastic, even the Roman pontiff himself, may lawfully be rebuked by subjects and laics, and even impleaded.*

The arrival of these bulls was the cause of much ex-

* Ex. Reg. Sudbury, fol. 46. Wilkins, iii. 123. Walsingham, i. 353.

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citement and difficulty. The king, Edward III., was on his death-bed; but the parliament and the council of regency appointed when his death had taken place, though opposed to the Duke of Lancaster, and supporting the clergy of the Church of England, were more hostile to papal interference than the duke himself had ever been, and had even obtained the opinion of Dr. Wiclif on certain ecclesiastical affairs. The Londoners, who had sided with the opponents of Wiclif, when the Duke of Lancaster had insulted their bishop, had now been reconciled to the duke, and were in a state of considerable indignation when they heard of the arrival of a bull, which, addressed to the king, raised the suspicion that the pope was again interfering in political affairs. That the pope should dare to commission any one to apprehend and imprison an Englishman on his own authority, was an intolerable aggression upon the constitution. The archbishop and the bishop were perplexed how to act.

In the University of Oxford the question was raised, whether a bull from the pope, assuming powers so adverse to the constitution, should be received. In the midst of the debates which arose on the subject, a letter arrived from the primate announcing his intention to act himself on the papal rescript, so far as an inquiry into the teaching of Wiclif was concerned; and requiring the University to provide him with some doctors of divinity, to act as his assessors. If they knew of any heresies propounded by Wiclif they were required to make them known. When it was understood that the archbishop would not violate the law or lay violent hands on Wiclif, but that only an inquiry was intended, the University consented to co-operate with the primate.*

The archbishop and the Bishop of London were acting

* Reg. Sud. fol. 46.

in this matter, not as English prelates, but simply as delegates or commissioners of inquiry appointed by the pope. The other bishops stood aloof. The papal delegates were cautious in their mode of proceeding. They suffered a year to elapse before they opened the commission. They supplied Wiclif with a list of the erroneous doctrines, for holding which he was accused of heresy. They wished to conduct the affair as privately and as unostentatiously as possible. They did not venture to convene Wiclif before a synod at St. Paul's; they sat in the archbishop's chapel at Lambeth. They acted as men under constraint, and quite aware that they would be held responsible for the slightest infraction of the constitution. It had been cunningly devised, that the delegates should represent the two great parties in the state; but the popularity of the Bishop of London could not protect him when he was acting unconstitutionally. The fact that the demand for the payment of the tribute to Rome had not long before been made and indignantly rejected, rendered the government and the people the more suspicious and watchful of the conduct of the delegates. They, on their part, acted with fairness. Wiclif was summoned to attend at the chapel, but he did *not* attend as a prisoner. There can be no doubt that Wiclif, also alarmed, explained away some of the most objectionable of his statements: he did what has been done by certain persons, who, whether on the Eucharist, or on the subject of eternal punishment, of late years have been accused of heresy. He required that the most favourable construction should be placed upon his words, and that, where they were capable of bearing two meanings, they should be understood in the orthodox sense. The delegates, anxious to escape from their difficulties, were prepared to dismiss him, with an injunction, that he should never more advocate, from the pulpit or from the professorial chair, the obnoxious

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doctrines, or the doctrines which, by being misunderstood, had led him into his present difficulties.

Meantime, it was rumoured that the papal delegates, contrary to law, were sitting in judgment upon Wiclif, in the archiepiscopal chapel at Lambeth. The Londoners were roused to a fury of indignation, and attacked the archiepiscopal residence. The council of regency were equally indignant, and a message arrived from the princess dowager, desiring a suspension of all further proceedings in the case.*

As no further steps were taken in this affair by Sudbury, we may conclude that he was not unwilling to obey orders.

Archbishop Sudbury renewed his visitation in the year 1378, and was involved in a controversy with the regulars. He seems to have attempted to make a distinction between his powers as archbishop, and his authority as *legatus natus*. An exempt monastery was, as it were, a dissenting establishment in a diocese. It set at nought the jurisdiction as the bishop, and was placed under authority of the pope, and of him only. Archbishop Sudbury did not attempt to visit an exempt monastery as primate, but he maintained his right to visit as legate. Hence two questions arose: first, whether this power of visitation in any way pertained to a *legatus natus*; and secondly, whether, if so, the visitor might enter the monastery with his cross erect, and with the insignia of the primacy. The first monastery Sudbury attacked was the abbey of St. Augustine's, Canterbury; and by that wealthy convent an appeal was made to Rome.

The unsettled state of affairs at Rome, rendered a speedy termination of the dispute, by a decision in that quarter, uncertain; and the archbishop well knew his own power

* Walsingham, i. 349-356. Wilkins, iii. 115-117. Reg. Sudbury, 45, 46.

with the home government. The archbishop one day in a jeering strain said, "My lord abbot, the time is coming, when, by the favour of God, thy house I shall enter; in thy church I shall worship; and thy doors shall open at my command." The abbot replied, "Reverend father, I put my trust in the Lord, and feel assured that, in this matter, from Him assistance thou shalt not have, neither will He aid thee to obtain entrance here. The more vehemently thou dost stir up the mind of God to do this injustice towards His servants, so much the more speedily do I trust that assistance will come to us from on high." Thorn thinks that the abbot spoke prophetically.*

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The parliament assembled, this year, at Gloucester. Again there arose disputes between the laity and the clergy. The commons complained, that many of the clergy, under the pretence of *silva cædua*, took tithes of timber. The commons petitioned, that the time for computing the growth of *silva cædua* might be shortened from twenty to ten years; and that all underwood of more than ten years' growth, might be discharged from paying tithes. The king was advised to refuse his consent. It is true, that the Duke of Lancaster was regaining his influence in the royal councils; and a few years before he could have counselled the king to pursue a different course: but, defeated in his schemes of ambition, it was now his policy to conciliate the clergy. He had, not long before this, shocked public opinion by his violation of the established rights of the church. He had offended the Londoners, with whom the influence of the Bishop of London was great; and the very fact of holding this parliament at Gloucester, instead of Westminster, is attributable to a fear that the presence of Lancaster in London would cause a riot.

The Duke of Lancaster, for the furtherance of his

* X Script. 2155.

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claim to the crown of Castile, desired to obtain possession of the person of the son of the Count de Denia, a relative of the reigning family. The Count de Denia had been taken prisoner by two esquires, Schakel and Haule. With these esquires he left his son a hostage, until he should be able to pay the ransom they demanded. A sum of money, equivalent to the ransom, the duke offered himself to pay, on condition that the young man should be made over to his custody. The offer was, very properly, refused. After several attempts to secure the young count's person, the duke, by putting forward some supposititious claims of the crown of Castile, obtained an act of parliament in 1377, for the committal of Schakel and Haule to the Tower, unless the prisoner was produced on a certain day. From the Tower Schakel and Haule made their escape, taking sanctuary at Westminster. They were pursued to the precincts of Westminster by soldiers of the duke, who surprised Schakel and carried him back to his prison. Haule had entered the abbey itself, and was engaged in his devotions, while high mass was celebrated. He was, nevertheless, seized by the duke's people. A scuffle ensued. Haule drew a short sword and attempted to defend himself. His opponents were too many for him, and, to evade their grasp, he fled towards the altar. Seeking for an outlet, he ran twice round the altar. But he was at last penned into a corner by his pursuers. He called upon them not to violate the sanctuary, but, while he was speaking, his skull was cleft in twain; his brains were scattered on the pavement; another ruffian stabbed him from behind.

The outrage was enough to provoke the populace and every lover of justice. The Duke of Lancaster himself felt no little annoyance at the indiscreet zeal of his partisans, who had exceeded their commission, and had been provoked to the murder by the opposition of Haule.

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The Bishop of London, Courtenay, the vehement opponent of the Duke of Lancaster, was not slow in making political capital out of the event. He excited the Londoners, with whom he was extremely popular, against the unpopular duke. He demanded the excommunication of the offenders. But the archbishop, a partisan of the duke, was slow to act. There was, nevertheless, the indisputable fact, that the sanctuary was violated, the church insulted, and the feelings of the pious outraged. The archbishop was obliged at length—*tandem*, says Walsingham, *quamvis tarde*—to excommunicate all who were concerned in the nefarious transaction. But he expressly excepted the Duke of Lancaster from the anathema. He excepted the king and his mother, and not all the royal uncles, but only—*avunculum Ducem Lancastriæ*.

Out of alarm lest a mob of the Londoners might interfere with the proceedings of the parliament, the parliament of 1378, as has been said, was appointed to meet at Gloucester, and everything was done to conciliate the clergy. Although the duke, to a certain extent, was successful, yet complaint was formally made of the late invasion of the franchises of the church, by the violation of the privileges of sanctuary. It was scarcely possible to avoid bringing the matter before parliament; and the primate could not refuse to be the spokesman of his order. But the partisans of the Duke of Lancaster diverted attention from the particular case before the parliament, by making a counter-complaint, to the effect that the privileges of sanctuary had been abused. It was extended, they averred, continually to the protection of debtors, and it was insinuated that Haule had sought privilege in that character.

They adduced the opinion of many doctors, learned in both canon and civil law, to prove, that the protection of sanctuary was only legally extended to those who were

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prosecuted to the loss of life and limb. They added, that neither pope nor lay prince had power to extend the privilege of the church to debtors; and that, if the donation of such a privilege were offered, the church could not, in principle and conscience, accept it.

The attack was regarded as a mere diversion, and the bishops, though they demurred to the accuracy of the statute, or to the force of the argument, agreed to let the matter drop.*

On the 16th of November, the archbishop availed himself of the attendance of a large number of the clergy at the parliament, to hold a convocation. It assembled in a certain chamber, within the verge of the monastery of Peter and Paul at Gloucester, in the diocese of Worcester. In this convocation certain constitutions were ordained and enacted, being published by the archbishop's authority and in his name.† An amendment was made to Archbishop Islip's regulations in regard to chaplains celebrating annals, without cure of souls. They were to receive a salary of seven marks; or, 'with diet,' three marks. If they accepted the cure of souls, then the salary was to be eight marks, or, with diet, four marks.

It is a sign of the lax state of morals, that the clergy were enjoined to remind the people that fornication is a mortal sin;‡ a fact which had been forgotten, or, rather, kept out of sight.

* Rot. Parl. xxxv. 35, et seq. Walsingham, Edit. Riley, i. 375, et seq.

† Lyndwood, 240. Spelman, ii. 626. Lyndwood, Append. 58. Wilkins, iii. 135. The documents are printed in part by Spelman and Wilkins, from the "Statutum super salariis Presbyterorum factum per Simonem Sudbury, Cantuar. Archiepisc. 6 Cal. Dec. anno domini 1378. Ex Reg. Sudb. fol. 51. What Spelman and Wilkins omit is given in Lyndwood.

‡ It was, indeed, asserted to be such by the canon law: "et sic fornicatio simplex, quæ est soluti cum soluta, est mortale peccatum. Provinciale, 343.

Lent was the usual time for confessions, and during that season a veil was hung before the chancel. It was therefore enacted, 'that no confessions should be made by a woman within the veil.' Confessions were to be made in an open place, so that the penitent, though not heard, might be seen.

It was customary for some priests to enjoin the penitent for some things, to pay for saying a certain number of masses in the penitent's behoof. A priest, however, it was suspected, might do this, to secure for himself or for a clerical brother the money paid on this account. It was therefore enacted, that no priest should enjoin masses as a whole or part of a penance; though they might advise them.

In the diocese of London, the archbishop was fortunate enough to settle amicably a dispute submitted to his arbitration between the minor canons of St. Paul's and the chapter. He permitted the minor canons to be vested in the choir, in white surplices and with almuces or hoods* of black stuff, lined with skins of various small animals, and turned up with fine linen or silk. They were to wear black open capes. They were to have houses near the church, and a common table. They were to receive fivepence a week, and a penny on every double feast. They were to have seven white loaves every week,

* The hood—in Latin, *caputium*, *almucium*, and *amicia*, &c.—was interded originally not merely for ornament, but also for use. It was fastened to the back of the cope, *casula*, or other vesture, and in case of rain was drawn over the head. It was not confined to the clergy or to monks. In the universities, by varying the colours and materials, the hoods were made to signify the various degrees of graduates. In cathedral and collegiate churches, the hoods of canons and prebendaries were lined with fur or wool. The dispute was whether this luxury, which was also a mark of dignity, might be worn by the minor or petty canons. Ducange, sub vocibus *Caputium* and *Almucium*. Palmer, Orig. Lit. ii. 320.

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each of the weight of eight marks sterling; and three black loaves, called trencher bread, or, in lieu of them, one penny sterling; there were also allotted to them twelve bowls (bollas) of best ale, called "welkyn," or one penny sterling, and three bowls of weaker ale. Two of the minor canons were called cardinals, who were to receive an allowance, twice as much as that accorded to the other minor canons. The chief business of these cardinals was, besides officiating on great occasions, to administer the sacraments of the church to the sick.*

We find from "Sudbury's Register" that several other regulations were made by him in matters of minor importance. The festival, for instance, of St. Augustine, was made a double; and a vigil was added to the nativity of the Virgin Mary. In May, 1378, the archbishop received a letter from Bartholomew Prignano, Archbishop of Bari, announcing his election to the papacy, under the title of Urban VI., on the 9th of the preceding April, and soliciting the prayers of the Church of England.

In August following, the archbishop received another letter. It was from certain of the cardinals, who repudiated the election of Urban; declaring that it took place under circumstances of intimidation. A multitude of people, for the most part armed, had surrounded the conclave, demanding the election of a Roman, at least of an Italian. They threatened death to the cardinals if they refused. The cardinals, under the fear of death, elected Bartholomew, Archbishop of Bari; expecting that he would have the modesty to refuse a place for which the electors declared him to be unfit. They, therefore, warned the faithful since, instead of declining the honour, he had been crowned and enthroned, to withhold their allegiance to that wicked man, and in no way to obey his mandates, monitions, acts, or words.†

* Wilkins, iii. 134. † The document may be seen in Wilkins, iii. 129.

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The document, too long for transcription or translation, is sufficiently vituperative; and it is only just to state, that whether Bartholomew Prignano, Archbishop of Bari, was elected through intimidation or not, the sixteen cardinals who were at Rome, and who had formed the majority of the sacred college, attended his coronation, and tendered to him the homage they now called upon the faithful to withhold; that on the 19th of April, eleven days after the election of Urban VI., they informed their colleagues remaining at Avignon of all that had taken place; that they positively asserted the freedom and unanimity reigning among them; that their private letters correspond with their public testimonies; that, on this account, Urban was recognised as pope by their colleagues at Avignon; that for six months they administered the affairs of the church under Urban; that they had assisted him in the sacred functions, and that they had obtained from him favours and indulgences for themselves and their friends.*

The great schism in the Roman church had now commenced. As Döllinger expresses it, now at length burst the ulcer, of which the germ was laid in the body of the church by the transfer of the Roman see to Avignon. The rebel cardinals, having been excommunicated by Urban, assembled at Fondi. Here, under the protection of the Queen of Naples, they elected Cardinal Robert of Geneva, who assumed the name of Clement VII.†

There were now two popes. Pope Clement was, of course, acknowledged by France, and France was fol-

* See Döllinger, iv. 130. The facts are so notorious and undisputed, that it is unnecessary to give particular references. I generally follow Döllinger in what relates to the papacy. Although his bias leads him sometimes to conclusions which we cannot admit, yet he is fair in his statement of facts.

† Döllinger, iv. 133.

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lowed by Scotland, Cyprus, and Savoy; by the kings of Castile and Aragon; by the Duke of Austria and some of the German princes. Urban was received as the legitimate pope by England, by the greater part of the Empire, by Bohemia and Hungary.*

Urban's proclamation against the rebel cardinals was received in England in the year 1379, and no one disputing its authority, Archbishop Sudbury ordered its proclamation in every diocese.

In 1379, a change in the ministry unexpectedly took place. The financial difficulties of the country were so great, that it was impossible for any ministry to give satisfaction; and there were other causes at work which excited a great feeling of dissatisfaction and discontent. In the reign of Edward the people were highly taxed, and sometimes they complained; but they were repaid by that glory which was not an empty boast. It was a substantial benefit, as it fostered a national feeling, while it asserted our independence, and raised us to the foremost rank among the nations of Europe. But now we had lost our foreign possessions; our arms were disgraced; depredations were committed upon the coast; our harbours had been, many of them, entered by French cruisers and burnt; the taxes were as heavy as before; there had been no reduction of expenditure; fresh demands were made for the public service; the treasury was exhausted; the crown was in debt.

But this was not all or the worst. A spirit of insubor-

* Urban was a man much to be praised. He was devout, humble, just, and generous. He had cultivated a powerful mind by assiduous study, and was the patron of learned men; but his temper was impetuous, harsh, and obstinate. He despised the French cardinals, as men who had been elevated to high place without learning, talent, or virtue. He accused them of neglect of duty, and gave notice of sweeping reforms. Hence his deposition.

dination prevailed throughout the country, and was organised to an extent unknown to the government, and which the rulers of the state were unprepared to meet. To the system of villeinage the reader's attention has been called more than once. From that system the country was passing; and all transitional states of society are times of suffering on the one side, and of perplexity on the other. Villeinage may be described as that condition of the lower classes of society under which the labourer is obliged to the performance of certain works for his superior, without further compensation than that which is implied in permission to find a domicile and maintenance on his estate, and to be protected from robbery and wrong, either by sword against a foreign enemy, or by litigation at home. He had land as well as house, and only differed from a paid servant by his not having wages. It was the feudal system carried from the field of battle into the province of labour. The villein was admitted to the oath of fealty, which implied right of protection: it was a mutual relation of protection and service.

The real grievance, consisting as it did in the uncertainty to the villein, as to the time and the quantity of the work to be demanded of him, was not felt, to any great extent, at the earlier period of our history. There was no more degradation in a labouring man having to hedge and ditch his lord's demesnes, and to discharge similar services, than there was to his lord in having to arm and fight at the king's command, to place, with bended knee, his dish upon the table, or to discharge other services now called menial.

So long as barons lived on their estates; so long as they employed their villeins in their sports as well as in what related to labour; so long as there was feasting in the hall, accompanied by those pleasures which the attendants upon a great lord were sure to find; so long as

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every villein knew that he was certain of protection, and that, if the baron oppressed him, the same baron would protect his villein from the oppression of any one else, whether prince, peer, or prelate; so long as they remained in this position;—there was little or no complaint against the system. An estate might be cursed by a bad baron or earl, even as the country might be cursed by a bad king. Villeins on an estate, like the barons themselves, on a larger sphere of action, might rebel against an oppressor, or get rid of him as best they could; but this was only regarded as an unfortunate incident. It did not militate against either kingly or baronial rule in the abstract.

Throughout the insurrectionary movements of the fourteenth century, although unpopular individuals among the aristocracy were attacked, yet no general assault was made upon the baronial system in general. To the king and the nobles the instinct of the populace led them to look for protection. They would rob the clergy to enrich the barons; and yet to the clergy themselves they were not opposed, but only to the clergy who held legal offices.

But the system of villeinage became intolerable when land began to pass into the hands of the citizen or the burgess. The commercial man purchased landed property as an investment of money. He paid his money, and would have his money's worth. He purchased an estate with the villeins attached to it. Out of the villeins he was to get as much work as he possibly could; and he gave nothing in return. The right which the villein formerly claimed, in return for labour paid, of residing on the estate, became an oppression. The villein said, "If I cannot obtain protection—if the old hall is no longer open to me—if the mutual offices of kindness between superior and inferior no longer exist—I will go and obtain better remuneration elsewhere." He received for answer, "No, you are my property; I have purchased you, and here

you remain." And so the villein felt himself a slave, and was prepared to rebel.

It will have been observed that the House of Commons, while at this time fighting for and achieving the rights of the middle classes—the commercial men, and those who had, through successful commerce, become landed proprietors—was as vehement in its determination to keep down the villeins, and to make them work; as the most enthusiastic republican in the Southern States of North America is now for the institution which reduces a large portion of our fellow-creatures to a state of slavery.*

These were the persons who were employing the lawyers, and almost created the profession of an attorney. They required lawyers out of court to make good their title-deeds, and among their chattels to take account of the villeins of the estates they purchased.† Hence it is that

* Parliament was at this time vehemently opposed to the rights of the lower orders and the villeins. To benefit them was to injure the middle classes, who purchased the villeins regardant, when they purchased an estate. When Richard II. (who before he was corrupted by luxury was a youth of generous impulses) suggested to parliament the wisdom of abolishing a state of bondage, the very proposal was regarded as an unconstitutional invasion of the liberties of the subject, and he was compelled by parliament to revoke the charters of emancipation which the villeins had previously compelled him to grant. The dictum of parliament was that no man could deprive them of the services of their villeins without their consent. In the parliament of 1381, it was unanimously determined that all grants of liberties and manumissions to the said villeins and bond-tenants obtained by force, were in disinheritance of them—the lords and commons—and destructive of the realm, and therefore null and void. Parl. Hist. i. 364. Insurrection is always attended by misery; but we may presume that there is no reader who would not, if he had been in the situation of a villein, have joined in this insurrection.

† To the circumstances stated above we must add that it was at this period of our history that the equitable jurisdiction of the Court of Chancery was completely established. It was long and often opposed, owing to the obnoxious character of the writ of subpœna which was

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we account for what is perplexing very frequently to the reader of this portion of English History—the hostility of the insurgents to the lawyers, and their violence in seeking the destruction of all muniments and public documents. This at length became a fanaticism, and the very ability to draw up an obnoxious document, by being able to read and write, became treason to the people.*

The villeins in gross had been already emancipated. They can hardly be said to have existed when the slave trade had ceased; unless we regard as such the servants on an estate, who were attached not to the property but to the person of the lord. Many villeins regardant had also become freemen by following their lords to the wars. Of these some returned home, the victors of Cressy and Poitiers, covered with honour. Remaining among the retainers of their lords, these formed that strong body of armed men, that military force which enabled the crown and the aristocracy to defend their own against the insur-

now introduced. The chancellor was passing from the character of the first adviser of the crown into a judge, who might or might not, according to circumstances, become the chief minister of state. See Hardy's Introduction to Close Rolls, xxx.

* We must distinguish between the just rising of the people against oppression and wrong, and the subsequent excesses and follies and crimes into which, for want of wise leaders, the injured people fell. We must even distinguish between Wat Tyler, goaded to insurrection by wrongs, and acting at first with discretion, and the same man intoxicated by success and maddened, it is to be feared or hoped, by drink. All the people wanted at first was to place the king at their head, and to compel parliament to find a remedy for their grievances. There are certain documents now in the Public Record Office, forming No. 202 of the miscellaneous records formerly kept in the Chapter House at Westminster, entitled "*Præsentationes de Malefactoribus qui surrexerunt contra Dominum Regem, 4 et 5 Ric. II.*," which it is to be hoped will soon be published. Extracts from these are given in a luminous and interesting paper published in the "*Archæologia Cantiana*," by Mr. Flaherty. They show, as he justly observes, that the commotion had a more adequate cause and a longer duration than is generally supposed.

rectionists, and to extend their protection to the middle classes. But those who formed the military force of the country were attached chiefly to the more powerful earls and barons, who still reigned, like kings, in their respective localities. By these the lesser barons would have been overpowered if the lesser barons had not been brought into association by the wars. These barons had become aware that it was only by combination they could maintain their own against the aggressions of the greater nobles on the one side, and the rising middle class on the other. They formed themselves into an aristocracy; they studied law and statecraft. They formed the class which contended that barons, who had private resources to assist them in maintaining their dignity, were better qualified to conduct the affairs of the nation than lawyers and statesmen who fell back upon their ecclesiastical preferments. But they required rents to be paid in money, and of their property they determined to make the most. They sympathised with the citizens. Instead, therefore, of maintaining their old baronial grandeur, they confided the management of their estates to agents. The estates of these barons were in a condition similar to those possessed by the commercial aristocracy.

But another evil resulted from this state of things. The lesser barons no longer retained a princely retinue at their castles; and the gallant men who had fought by their side in foreign parts, now dismissed from their service, were turned loose upon society. They felt it no dishonour to compel the country, the battles of which they had fought, to requite their services. If the king neglected to remunerate them from his treasury, the king's highway was no longer to be regarded as a place of security for the traveller, upon whom they levied black mail.

These men, acquainted with the importance of discipline, were prepared not only to assist the insurgents in

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asserting their rights but also in organising their forces. The masses were also joined by a large portion of the clergy. The lower class of clergy made common cause with the villeins. Sons of villeins themselves, they were emancipated when they were admitted into holy orders; but incapable, or too indolent, though schools were opened to them, to raise themselves by intellectual culture and moral conduct to a high position, they filled the lowest offices in cathedral and collegiate churches; where, to the superior clergy, they were in a position similar to that occupied by their brethren with reference to the lords of the manor. We have no class of clergy in modern times so low as these. They were filled with envy, hatred, and malice against their superiors, many of whom had started in life with no greater advantages.

To the Duke of Lancaster and his party the people were decidedly opposed, because he had attached himself to that middle class which was, at this time, regarded by the villeins as their deadly enemies. He supported the inferior nobles against the clerical occupiers of office; and sided with the commons when maintaining their rights over the villeins regardant, whom they were treating not as men earning protection by labour but as mere serfs.

Through the influence of the clergy, whom he had thus offended, the Duke of Lancaster was deprived of power at the commencement of King Richard's reign; but he had now obtained a parliament which, discontented with the existing state of public affairs, was determined to give him their support.

The duke's party was once more in the ascendant; but his policy was changed. He found that he could not form an efficient ministry without employing the clergy, and he was prepared to give proof of his sincerity by discarding his former adviser Wiclif. He had already taken the command of the army, and was constituted Lieutenant of

the Marches of Scotland. He appointed Archbishop Sudbury, to the surprise and discontent of his former supporters, Lord Chancellor.

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Such was the state of public feeling in the country when, on the 4th of July 1379, the archbishop received the Great Seal.* The Lancaster party did not venture to summon the parliament to meet in London, where the opponents of the duke were still violent and strong, and under the influence of his great opponent, the Bishop of London. Northampton was selected as a central spot.† Here the parliament, after some adjournments, met in a chamber belonging to the Priory of St. Andrew. The archbishop, as chancellor, declared the object of the meeting. The expenditure of the country had exceeded the income. The war in France, conducted by the Earl of Buckingham, the expedition in Scotland, the defence of Guienne, and the various expenses incurred by the government in Ireland, had reduced the king to such straits that he had been obliged to pawn the crown-jewels. Owing to the disturbances in Flanders, the late subsidy on wool had realised little. The government was in arrears with the armies in the marches of Calais, at Brest, and at Cherbourg: it was feared that the soldiers would desert if payment were long delayed.‡

The parliament was required to advise the king how he was to fulfil his engagements and meet the expenses necessary for the protection of the coast. The House of Commons

* Rot. Claus. 3, Ric. II. m. 22.

† Northampton was a common place for holding great Councils, especially under Henry II. and Richard I. Later on, they were held in Shropshire, Warwickshire (Kenilworth), Oxford, Leicester, &c. The great monastic houses in Northampton provided accommodation for strangers. It was now evidently selected as being at an easy distance to those lords who were serving on the Scottish border under the Duke of Lancaster.

‡ Rot. Parl.

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required that an account of the expenses should be submitted to their inspection, and called upon the government to state what was likely to be the sum required. This was a great constitutional step on the part of the House of Commons. The government replied that a sum not less than one hundred and sixty thousand pounds would be necessary to meet the exigencies of the country. This was considered an exorbitant demand; and the prelates and lords were requested to form themselves into a committee, to devise the ways and means. This committee of the House of Lords received, of course, the proposals of the chancellor representing the government; and Sudbury must fairly be rendered accountable for the measures now adopted.

Here it is necessary to refer to the government which that of Sudbury had superseded. That government had determined to resort to a measure of direct taxation, and it went upon the principle of sparing the poor and of levying payment on the rich. A capitation-tax, together with a duty on the sale of merchandise, or the imposition of a tenth or fifteenth, had been determined upon in the parliament of 1378. The capitation was to be graduated according to each person's rank and estate:—

The Dukes of Lancaster and Bretagne,* each 10 marks.

Every earl, £4.

Every baron, banneret, and knight, having an estate as good as a baron's, 40s.

Every baroness, being a widow, as a baron, and every banneress as a banneret, 40s.

Every knight bachelor, or esquire, who, by his estate, ought to be made a knight, 20s.

Every widow of such knight bachelor, or esquire, 20s.

* The Duke of Bretagne, John de Montford, had certain lands and possessions in England.

Every esquire of estate, 4s. 7*d.*

Every esquire without land, but bearing arms, 3s. 3*d.*

Priors of the Hospital of St. John, each as a baron, 40s.

Every commander of the order, 20s.

Every knight of the order, 13s. 4*d.*

Every brother of the order, 3s. 4*d.*

Every justice, as well of one bench as of the other, and the chief baron of the exchequer, each 100s.

Every serjeant and great apprentice of the law, 40s.

Other apprentices which follow the law, 20s.

All other apprentices of less estate, and attorneys, each 6s. 8*d.*

The mayor of London shall pay as an earl, £4.

The aldermen of London, each as a baron, 40s.

All other mayors of great towns in England, each as a baron, 40s.

Other mayors of smaller towns, according to the value of their estates, 20s., 10s., or 6s. 8*d.*

And all jurats of good towns, and great merchants of the realm, shall pay as bachelors, each 20s.

Other sufficient merchants, 8s. 4*d.*

All lesser merchants, and artificers, husbandmen, or who live upon tillage, according to the value of their estate, 4s. 8*d.*, 3s. 4*d.*, 2s., 12*d.*, or 6*d.*

Every serjeant and freeman of the country, according to their estate, 6s. 8*d.*, or 40*d.*

The farmers of manors, parsonages, and granges, merchants of beasts, and other buyers and sellers, according to their estates, 6s. 8*d.*, 40*d.*, 2s., or 12*d.*

All advocates, notaries, and proctors who are married shall pay as serjeants of the law; and apprentices of the law and attorneys, each according to their estate, 40s., 20s., or 6s. 8*d.*

Apparitors that are married, according to their estates, 3s. 4*d.*, 2s., or 12*d.*

All innkeepers that have not the estate of a merchant shall pay, each according to his estate, 40*d.*, 2s., or 12*d.*

Every married man, for himself and his wife, that have not the estates abovenamed, and above the age of 16, except very beggars, 4*d.*

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And every man and woman unmarried, of such an estate, and above the age aforesaid, 4*d.*

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Also every strange merchant, of what condition soever, shall pay, according to his ability, as other denizens.*

The clergy in convocation accepted the principle of direct taxation. The following scale is taken from *Sudbury's Registrum c.* :—

	£	s.	d.
The Archbishop of Canterbury	6	13	4
Bishops and mitred abbots, being peers of the realm	4	0	0
Abbots, deans of cathedrals, and priors of convents not peers	3	0	0
All who possessed benefices above the yearly value of £200	2	0	0
From £100 to £200	1	10	0
From £66 13s. 4 <i>d.</i> to £100	1	0	0
From £40 to £66 13s. 4 <i>d.</i>	0	13	4
From £20 to £40	0	10	0
From £10 to £20	0	5	0
All other clerks	0	2	0

Monks and nuns were to pay each according to the value of the houses to which they belonged, 40*d.*, 20*d.*, one shilling, or a groat. When we multiply these sums by 20 or 25 we find this to be a high rate of taxation.

It would have been well for Sudbury, if he had abided by this wise regulation. But the tax had not been properly collected, and the collectors had probably found it difficult to compel the powerful to pay their quota. The parliament of 1380, therefore, over which Sudbury presided as chancellor, granted a poll-tax, under its most unjust and oppressive form,—a groat to be paid by every subject above the age of fifteen years.

* Parl. Hist. i. 347.

The excitement in the country was immediate, and soon became alarming.* Information was received in London of the seditious preaching of John Balle. He used the ordinary language of unprincipled demagogues, but was evidently a cleverer man than his opponents were willing to admit. He asserted that things would never prosper in England, until all distinctions should be levelled, and vassal and lord should become words without meaning. We are all descended from a common ancestor: and why were some to be clothed in velvet and rich stuffs, ornamented with ermine and other expensive furs, while others were obliged to wear coarse cloth? Why were some to have wine, spices, and fine bread, and others to have only water for drink and rye-bread for their food? Why must some take their ease in their mansions and manors, and we be exposed to wind and heat, labouring for their service, and reviled as slaves if we neglect to minister to their pomp? We have now, too, no sovereign to whom we can complain—no king to hear our petitions, and to grant us redress. To the king, however, young as he is, let us go: let us remonstrate with him on our servitude, and tell him that redress he must grant us, or else that we shall take it ourselves.

He did more, however, by putting two lines into the mouths of men than he could have done by all of his harangues:—

When Adam dalve and Eve span,
Where was then the gentleman?

It is thus that a demagogue damages a good cause. The lower orders were wronged; they deserved what they demanded,—a redress of their grievances. But men

* I have given the narrative of the insurrection, so far as it concerns Sudbury, by a comparison of the statements of Walsingham, Knighton, and Froissart.

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like Balle, by appealing to their lower passions, inflamed their envy, hatred, and malice; and instead of rousing them to patriotism, rendered them rebels against that constituted order of things, which must exist so long as man remains as he is; or, as the Christian would say, until perfect equality among the elect is established by the second advent of our Lord and Master Jesus Christ.*

Measures were adopted, which were calculated to exasperate but not to intimidate the rioters, and to inflame their passions, more especially against the chancellor, who was supposed to have originated the poll-tax. Certain persons were incarcerated, as Balle had been, only to give the mob a triumph by their liberation.† Commissioners to collect the poll-tax and judges were sent down into the disturbed districts, but were frequently met by an armed mob and driven back to the metropolis. The Chief Justice of the Common Pleas was sent into Essex to try the offenders: he was quickly put to flight. The jurors and clerks of the commission were beheaded, and

* An account of John Balle is to be found in Knyghton, col. 2634; and in Froissart, i. 653. All the writers of his age, of course, speak against him. Froissart calls him "a crazy priest," who, for his absurd preaching, had been thrice incarcerated by the Archbishop of Canterbury. In the "Lollard Proceedings" he is spoken of as "Sacerdos Dominus Johannes Ball, qui incarceratus est per Simonem Cantuariensem Archiepiscopum et Willellmum Londoniensem Episcopum, propter hæreses quas prædicavit." Fasc. Zizan. 273. Knyghton speaks of him as "Johannes Ball, capellanus, qui prædicator famosissimus habebatur apud laicos." Accordingly Neander, ix. 215, speaks of him as chaplain to the archbishop. But this is certainly a mistake, as in the archbishop's mandate he is described as "Presbyterum se prætendentem." Wilkins, iii. 152. According to Froissart, he was imprisoned for three months and then set at liberty; but all other authorities state that he was released from prison by the mob, whom he then urged to kill the archbishop.

† See Fœdera, iii. 889, where a licence is given to the archbishop to imprison Nicolas de Drayton.

their heads, stuck upon poles, were paraded through the villages. Sudbury was with the king at Windsor when the disturbances commenced, and with the other officers of state attended the king, when he was removed to the Tower, as a place of greater security. The reports from the country became more and more alarming; and there were no means of resisting the rioters if they should come to London. The king's army was on the borders of Scotland. Whatever troops not in the army the barons could have mustered, they required for the defence of their manors and castles. The mass of the people in London sympathised with the movement, and no dependence could be placed even upon the garrison in the Tower.

All that the rioters desiderated was a leader. If they could have secured a man of genius to lead them, the insurrection would have terminated in a revolution in which philanthropists would have rejoiced. But when the leader did come he was a man not adequate to the crisis, and who was stultified by success.

A brutal collector of the poll-tax gave the insurgents what they wanted. The history of Wat Tyler is too well known to be repeated here. He did what any father would have done, and ought to do: he felled to the earth a ruffian who had offered an insult to his daughter. His country denied him justice, and he placed himself at the head of the revolt. At first he conducted himself with an amount of discretion and courage which, if persevered in, would have raised him to eminence. But he became intoxicated by a partial success, and the man who might have been a hero became a vulgar rioter.

The news now came to London that Kent was convulsed from one end to the other—from Romney Marsh to Thanet, from Dartford to Whitstable. The rioters had entered Canterbury, where they pillaged and dismantled the archbishop's palace. Sudbury was particularly

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obnoxious to the men of Kent, for the depreciatory observations he had made with reference to pilgrimages to the shrine of St. Thomas the Martyr. By many of the citizens the insurgents had been cordially welcomed. As the rioters took possession of the archbishop's furniture, they said that the chancellor had obtained it at the expense of the public, and that he should now render an account of all the money spent since the coronation of the king. They had military possession of Canterbury till the end of June—that is, till the death of Wat Tyler. The rioters now resolved to send a detachment to London. Confederations of the lower classes had been formed long since in various districts, only waiting for the time of action. Emissaries were therefore sent to Essex, Suffolk, Bedford, and other counties impatient for the signal to revolt, to urge, on their part, a simultaneous march to London for the purpose of surrounding it.

The army from Canterbury found recruits in every village; and, as Froissart says, swept along like a tempest, destroying every house belonging to an attorney, or the property of the archbishop.

The party in the Tower were, of course, greatly alarmed, but there was no one with vigour of mind adequate to the occasion, or capable of suggesting a method of resisting the threatened attack. There were with the king, besides the archbishop and the great officers of state, the king's uterine brothers, the Earl of Kent and Sir John Holland, the Earls of Salisbury, Warwick, and Suffolk, with a few others. The king's mother, the Princess Dowager of Wales, had gone on a pilgrimage to visit her husband's tomb at Canterbury, and to pay her devotions at the shrine of St. Thomas the Martyr.

The princess, however, soon presented herself at court, having, on her return, encountered the rioters. They had treated the widow of the Black Prince and the mother of

the king with rough gallantry. One or two demanded a kiss of the fair maid of Kent, and she had good-humouredly paid the ransom required. She was the adviser of conciliatory measures, to which Sudbury was opposed. The first object of the insurgents was to obtain possession of the young king's person. With him at their head, and in his name, they thought to make war upon their oppressors.* They expected, from their treatment of the princess his mother, that she would have persuaded the king that if he would only trust in them he would be treated loyally; and, in their disappointment, they became bitterly hostile to her. Yet she evidently did her best in their cause, generously if not wisely.

On the 12th of June, intelligence reached the Tower, that the insurgents were encamped at Blackheath. On the day following it was announced, that no less a personage than Sir John Newton claimed an audience with the king. He came as an emissary from the Commons of England, as the insurgents now desired to be styled.

Sir John Newton had been governor of Rochester, under the title of constable and captain, when the citizens threw open the gates of that city, to give the insurgents a hearty welcome. Under the threat of death he was compelled to join them. They were at first acting with wisdom and caution; and as detachments passed from the counties of Essex, Suffolk, Cambridge, Bedford, Stafford, and Lincoln to join the forces before London, their policy was, when they obtained an advantage over

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* The reader who is astonished at the easy manner in which Richard was able to put down this rebellion must bear this fact in mind. The mass of the people had been led to think that this was the one object to be had in view. When Richard appeared among them they were nearly satisfied; when he said, "I am your leader," they were completely so. What was to be the next step? Wat Tyler was dead. No one could answer the question, and, not knowing what to do, they dispersed.

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lords and knights, to spare their lives, if they would enlist in the service of the Commons. Among these were the Lord Mauley, Sir Stephen Hales, and Sir Thomas Cassington. The object was to give to the insurrection the appearance of a national movement. These lords and knights were prisoners in fact, but when placed in the van, glittering in armour, they might be mistaken for leaders.

Steady in their object of obtaining the person of the king, that he also might appear as their leader, they now despatched Sir John Newton to the court. He was commissioned to inform the young king, that what the insurgents had done was done for his service; that the commons had been, for some years, miserably governed, to the dishonour of the realm, and the oppression of the lower ranks of the people. He was to lay the blame on the king's uncles, and more particularly on the lord chancellor, the Archbishop of Canterbury, whom they were determined to bring to an account.

Sir John Newton performed his office, if not with much dignity, yet not unfaithfully. Proceeding along the Surrey side of the river, until he came opposite to the Tower, he there took boat and crossed over. He was immediately admitted into the presence of the king, and threw himself at his feet. "My much redoubted lord," he said, "be not offended with me for the message which I am about to deliver; for I am constrained by force to come." The king assured him that he would take no offence, and told him to proceed. The knight then went on to say:—"My very redoubted lord, I am sent by the Commons of your realm, to entreat you to grant them an interview at Blackheath. They desire that you should be unattended; and, for your personal safety, you need have no fear: they will not do you the slightest injury, for they have always respected, and will continue to respect, you as their king. But they have many things to tell you which, they say, it is expedient for you to hear, but the purport of which

they have not confided to me." He added,—“ Dear lord, I beseech you to return me an answer such as will give them satisfaction, and convince them, that I have really been admitted to an interview ; for they have my children as hostages, whom, if I do not return to them, they will assuredly put to death.”

The king promised an answer as soon as possible, and a council was immediately summoned : the attendance of the Lord Mayor and the principal citizens of London was required. At that council it was resolved, that the king should accede to the wishes of the people ; and, to secure for him a better reception, Sudbury resigned the chancellorship, though he agreed to retain the Great Seal until his successor was appointed.

Sir John Newton stated the insurgents to be sixty thousand strong ; and he was dismissed with an assurance that, if the leaders of the Commons would assemble on the banks of the Thames on the morrow, the king would meet them.*

On the morning of the 27th the king, with his whole court, attended service in the chapel of the Tower ; and he then entered his barge. The Earls of Salisbury, Warwick, and Suffolk, with a few knights, escorted him. He rowed down the Thames to Rotherhithe. Here an immense crowd was assembled, upwards of ten thousand persons, from the camp at Blackheath, eager to see the young king. They received him with shouts of joy, and

* Froissart, who is our chief authority for the statements given above, informs us that “ this answer gave great pleasure. They passed the night as well as they could ; but you must know that one-fourth of them fasted for want of provisions, as they had not brought any with them, at which they were much vexed, as may be supposed.” This quaint passage is valuable. It shows the honesty of purpose with which this justifiable insurrection was first organised. It shows also the extreme mismanagement which at last made the rioters ungovernable, and, leading them into crime, made them easy victims of their oppressors.

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were the more excited as they had been inclined to doubt the sincerity of Sir John Newton, when he promised that the king would come.

The courtiers were, however, alarmed ; they knew not which way to interpret the shouts. They would not permit the king to land, but rowed him up and down, so that all might see him. The boat at one period stopped, and the king bravely said:—"Hither have I come, according to your wish, and now what have you to say?" The people replied, that they wished him to land, and then, at their leisure, they could make known to him their wrongs and requirements. The Earl of Salisbury, with sarcastic insolence, interposed. "Gentlemen," he said, "you are not properly dressed for an interview with the king, nor in a condition to receive him properly." He ordered the barge to be swung round and rowed back to the Tower, where the archbishop and other members of the council were anxiously awaiting to hear the result.

The court could not be surprised at hearing that, when the proceedings at Rotherhithe were reported to the camp at Blackheath, a feeling of indignation was excited ; but they were not prepared to hear of the almost immediate arrival of the insurgents at the gate upon London Bridge. The insurgents had marched to the city in a state of wild excitement, having destroyed *en route* the houses of every lawyer and courtier which came in their way, together with the monasteries, and now they demanded an entrance into the city. They threatened, if they were not immediately admitted, to cross the river and, having first destroyed the beautiful and extensive suburbs by which London was surrounded, to take the city by storm.

They had a strong party within the walls, who demanded that the gates should be opened "to these honest men,

their friends, who were doing what they did for the public good." Among the magistrates there were some who sympathised with "the Commons," and the gates were thrown open. The first object with those who entered was to obtain food. A commissariat department had not been thought of by the insurgents; and the crowds pressing into the city were nearly famished. There was a rush to the provision shops; and the citizens sought to propitiate their invaders by presenting them with all manner of good cheer. To a continuance of that good cheer we must attribute the failure of the enterprise. As wine and beer were imbibed the patriotic spirit evaporated. What was at first an army became eventually a mob.

The archbishop heard that the insurgents had proceeded, twenty thousand strong, to the Duke of Lancaster's palace of the Savoy, which they deliberately destroyed. This was a warning to him; for it spoke, in intelligible language, of their deadly hatred of the Duke of Lancaster's party. They next attacked the Knights Hospitalers, and the Flemish merchants; for they were strong protectionists. The houses of the Lombards were ransacked, and any money found there was appropriated to the public service. But the wine was beginning to do its fatal work. Blood was shed. Richard Lyon, a citizen, to whom Wat Tyler had been a servant, and who had maltreated him, was beheaded; and his head, fixed on a spike, was paraded through the streets of London. The public good was sacrificed to private malignity.

Within the Tower, all was confusion and alarm. The garrison was not strong enough to resist a vigorous assault; and among the troops some were in league with the insurgents.

Towards Thursday evening, the rioters, in great numbers, assembled in St. Catherine's Square, in front of the Tower. They declared, that thence they would not

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depart, until they had obtained from the king a redress of their grievances; and until the Chancellor of England was brought before them, to account for his prodigal expenditure of the public money. If the accounts should prove unsatisfactory, they openly declared that they would be satisfied with nothing less than the archbishop's life.

Sudbury understood his danger, and prepared to face it as became a Christian. It was now that the best parts of his character, and his truly religious confidence in his God and Saviour, were shown. The yells emanating from the inebriated mob in St. Catherine's Square were terrific. All were in a state of perplexity and alarm. He alone remained self-possessed. He advised the holding of a council, to which Sir William Walworth, the lord mayor, and the city magistrates were invited. They reported that the rioters were sixty thousand strong, but that not one in twenty was armed. A large number were either dead drunk, or rolling about the city in a state of mad intoxication. They also gave information that Sir Robert Knolles, Sir Perducas d'Albreth, and other great men, had a large body of armed men within their walls, for the protection of their property; so that, upon a signal given, not less than eight thousand men might be mustered, beneath whose swords the rioters might be destroyed like flies. The council, however, and among them the Earl of Salisbury, thought that an attempt thus to fall upon the rioters now in London would be inexpedient and dangerous. If the insurgents were attacked and the attack should fail, every man of noble blood would fall a victim to their fury; whereas, at present, it was not against the old nobility that their passions were inflamed. Upon the commonalty of London no dependence could be placed; if swords were drawn, they would be found in large numbers to join the forces of the enemy. The Earl of Salisbury advised the king to adopt a concilia-

tory measure, to speak kindly to the people, and with fair speeches to grant their demand. It was well that this advice was followed, for it was afterwards discovered that out of the twelve magistrates, three were on the side of the insurgents.

On the Friday morning, the mob in St. Catherine's Square increased. They were fierce in their vociferations; and declared that if the king were not permitted to come forth to commune with his people, the Tower should be attacked and entrance into the royal presence be obtained by force.

The feelings of the insurgents were awfully excited when it was reported, and the report was correct, that the archbishop and Sir Robert of Hales, Master of the Hospitalers, advised the young king, that it would be beneath his dignity to go forth and hold a conference with a parcel of sansculottes.* There were traitors within the Tower who betrayed the secrets of the council. Vengeance against the archbishop now became a passion.

If, as judging from subsequent events, those who advised the king to concede the demands of the commonalty, only intended to make the poor young man a deceiver, and a traitor to his people—calming them by promises to be

* The words of Walsingham are: "Dicentes nequaquam debere regem adire tales discaligatos ribaldos." The history of this insurrection is written by partisans of the upper and middle classes, and the cause was ruined by the dementation of Wat Tyler and his confederates. But there must have been wise heads as well as strong hands at work. What could be more moderate and wise than the demands—the abolition of slavery, into which villeinage was sinking; the reduction of the rent of land to fourpence an acre; liberty of buying and selling in all fairs and markets; and a general amnesty? Let it be remembered that a charter conceding all these points was granted. The charter to each town was signed, sealed, and delivered; and the king was base enough afterwards, on the petition of the House of Commons, to cancel it, and cruel enough to hand over these injured people by hundreds to the executioner.

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immediately repudiated, when he was strong enough to play the liar,—then the archbishop was not so much to blame for the advice he gave. But for that advice he died.

The people raised a shout of joy, when a message came from the king that he would meet the commons of England in the people's park—for such it was—at Mile End. The heart of the people was loyal; and off they went to receive from royal lips the lie, which became the death-warrant to many of them.

“Where is the lord chancellor,—where the lord treasurer,—where those traitors to the people?” This was the question asked, when in royal state King Richard came forth from the Tower, and presented himself to his rejoicing subjects.

When it was discovered that the chancellor and treasurer had not dared to face the people, orders were given to a chosen body, upon whom Wat Tyler could rely, ruffians ever ready to do his bidding, to detach themselves from the main body of the insurgents, and to be prepared to attack the Tower, within which there were some who had signified their readiness to open the unguarded gates. They were to execute judgment, as it was called, upon the chancellor and the treasurer.

Simon Sudbury is one of those whose heroism and whose truly Christian spirit is shown in their death. He was well aware, that among the king's counsellors there were some who cared but little for his fate, and had no intention to leave a sufficient guard within the Tower to protect him if the Tower were attacked. He was too well aware that, for whatever reason, he had not to expect much mercy at the hands of the insurgents. They might possibly respect his sacred character, but this was all his hope on earth. His heart was with his Saviour, in whom alone he had long lived through the means of grace, and by whom he felt prepared for what the morrow

would bring forth. The true Christian fears not death, but he may fear the act of dying. He might fear lest, if death came to him under some unexpected form, his courage might fail him, when by his death he desired to speak to the hearts of those who turned a deaf ear to his words. He expected to be assassinated. He thought, no doubt, as all English prelates did in time of danger, of St. Thomas of Canterbury. If he asked for his intercession, it was not to the exclusion of that intercession upon which both had relied,—the intercession of The One and Only Mediator between God and man.

The old man officiated in the chapel of the Tower, and administered the Holy Communion to the king and his court on the morning of the 14th. They on their knees received his benediction. They went forth. He heard them mounting their horses in the court below. He heard the distant shouts of people as the portcullis was raised by those who purposely omitted to let it fall again. He was in the chapel, attended only by his chaplains. They were all prostrate before the altar in silent prayer,—when the shouts of the assailants indicated that they had possession of the Tower. The people were committing great excesses. The noise, however, showed that they were coming nearer to the chapel. “Where is the traitor?” they were now shouting. “Where is the plunderer of the commons? Turn him out! turn him out! The traitor, where is he?”

The chaplains and attendants of the archbishop rushed to the chapel-door to bar it against the entrance of the mob, but the brave old man called them back. Resistance would be vain; they must be overpowered. Their resistance could only cause the shedding of more blood. “Let the servant of the Lord depart in peace,” he said; “to die is better than to live, when by living we can be no longer of service to others. Never in my life have I been

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in a state of mind so tranquil as that which I now enjoy." He smiled benignantly, and was extending his hands to bless his obedient people kneeling before him, when the shouts, "Where is the traitor?" became louder and more distinct, as the door of the chapel, yielding to pressure from without, fell down with a crash upon the pavement. Seeing the archbishop in front of them, with his cross in his left hand, and a chaplain standing, with the sacrament in his right hand, the people were for a moment awe-stricken and silent. The primate spoke: "Behold the archbishop whom ye seek; no traitor he; no plunderer of the commons; but your pastor." While he was speaking, some of the mob had placed themselves between the archbishop and the altar. He had hardly ceased from speaking before he found his arms pinioned. A shout from within announced to those who were without that the chancellor was captured. They were not come to massacre an archbishop, but, as they deemed it, to execute justice on a traitorous lord-chancellor. They would not permit the archbishop to appear as he wished, as their pastor; if they had done so, the event might have probably been different. A pinioned helpless criminal was to be presented to the mob without. Nothing could have been more humiliating, more painful, than the position of the archbishop—dragged from the chapel, and, amidst the scoffs of his captors, presented to the people at different parts of the Tower. The pinioned man could not raise himself to speak so as to be heard when all around were noise and confusion. He was marched between men with their swords drawn, to Tower Hill. The yell with which he was greeted when he was seen coming out of the Tower, was terrible to a heart which, filled with love to God and man, was met with execration.* A block was

* "Quo cum pervenisset, factus est clamor horrendissimus, non

extemporised. All the usual forms in the execution of traitors were, as far as circumstances would admit, observed. The executioner was not forthcoming : one of the mob, unused to the dreadful trade, undertook to do the deed of blood. According to custom, silence was proclaimed, for the dying speech and confession of the culprit. The arms of the archbishop were now unbound : he prepared to speak. The stern character of the man evinced itself to the last. "Take heed," he said, "my beloved children in the Lord, what thing ye now do. For what offence is it that ye doom to death your pastor, your prelate, your archbishop? Oh! take heed lest for the act of this day all England be laid under the curse of an interdict."

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The speech was not calculated to pacify the people, who would hear no more, but shouted out that they cared for neither interdict nor pope ; but that, as a man who had been false to the commons and had betrayed the people, he must die.

The archbishop laid himself upon the ground, reclining his head upon the block. The axe, wielded by an unskilful hand, fell on his neck, only inflicting a slight wound. In his agony he raised his hand to his head, exclaiming, "Ah! ah! manus Domini est." But while he was speaking, the axe again fell, amputating the tips of his fingers. Dreadful must have been his sufferings, for this butchery was not completed until the axe had fallen eight times upon his neck.

With him were put to death Sir Robert Hales, the lord treasurer ; a Franciscan friar of the Duke of Lan-

similis clamoribus quos edere solent homines, sed qui ultra omnem aestimationem superaret omnes clamores humanos, et maxime posset assimilari ululatibus infernalium incolarum."—Walsingham, i. 460, ed. Riley.

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caster's party;* and John Lec, or Legge, who had been a favourer of the obnoxious tax.

The archbishop's head was stuck upon a long pole, and, with the heads of those who had been decapitated with him, was paraded through the streets of London. To distinguish the archbishop, his hat was nailed to his skull.† It was at length fixed upon London Bridge, where it remained for six days. It was then taken down by Sir William Walworth, according to the political song, and reverently wrapped in a pall; Wat Tyler's head being afterwards substituted in its place.

The body remained for two days on Tower Hill, no one daring to touch it during that time. The head and body were conveyed to Canterbury,‡ where they were interred in the cathedral,§ not far from the tomb of Archbishop Elphege; and miracles were said to be wrought at his tomb, of which some account may be found in Walsingham. Although Sudbury did not die for the maintenance of any principle or the attestation of any fact, yet, from the blamelessness of his life, and the heroic piety with which he met his death, he seems to have been looked upon by some as a martyr; and he was well spoken of by all except the extreme Lollards. The poem on his death is written in a strain of lamentation for his loss.

Although this primate has left behind him no literary work of magnitude, yet Tanner, who gives a list of his writings (chiefly mandates, to be found in Wilkins, of

* William Apuldore, the king's confessor.

† " Insuper a lixis caput est in ponte levatum

Atque capellatum clavis in vertice fixis.

Walword tunc miles caput abstulit inde patenter

In pallas habiles involvit idem reverenter."—Pol. Songs, i. 227.

‡ According to the poem, this took place six days after his death; his corpse was followed by some of the citizens of London.

§ Cum condigno honore, Thorn, col. 2157.

which copious use has been made in these pages), speaks of him as a man of high literary attainments. Perhaps his injunction for general public prayer on occasion of the pestilence is the most interesting of his compositions.*

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There is a fine canopied monument of Archbishop Sudbury still existing in Canterbury Cathedral.†

As a specimen of the literature of the period, I add the following poem, which refers to the archbishop's death:—

Tax has tenet us alle,
Probat hoc mors tot validorum
 The kyng thereof hade smalle,
Fuit in manibus cupidorum ;
 Hit hade harde housalle,
Dans causam fine dolorum ;
 Revrawnce nede most falle,
Propter peccata malorum.

In Kent this kare began
Mox infestando potentes
 In rowte the rybawdus ran,
Sua pompis arma ferentes ;
 Folus dred no mon,
Regni regem neque gentes,
 Churles were hor chevetan,
Vulgo pure dominantes. .

Thus hor wayes thay wente,
Pravis pravos amulantes,
 To London fro Kent
Sunt prædia depopulantes ;
 Ther was an uvel covent,
Australi parte vagantes ;
 Sythenne they sone were schent,
Qui tunc fuerant superantes.

* Wilkins, iii. 100.

† Wilks, 129.

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Bondus they blwun bost,
Nolentes lege domari,
Nede they fre be most,
Vel nolent pacificari ;
Charters were endost,
Nos libertate morari ;
Ther hor fredam thay lost,
Digni pro cæde negari.

Laddus loude thay loye,
Clamantes voce sonora,
The bisschop wen thay sloye,
Et corpora plura decora ;
Maners down thay drowye
In regno non meliora ;
Harme thay dud inoye,
Habuerunt libera lora.

Jak Strawe made yt stowte
In profusa comitiva,
And seyde al schuld hem lowte
Anglorum corpora viva.
Sadly can they schowte
Pulsant pietatis oliva,
The wycche were wont to lowte,
Aratrum traducere otiva.

CHAPTER XVI.

WILLIAM COURTENAY.*

Family of Courtenay.—Family of Bohun.—William Courtenay, son of the Earl of Devon, born in the parish of St. Martin's, Exminster.—Educated at Stapledon Hall, Oxford.—A Doctor Decretorum.—Chancellor of the University.—Peculiar circumstances of his election.—His preferments.—Bishop of Hereford in his 28th year.—State of parties.—His conduct in convocation anti-papal.—Translated to London.—Unjustifiable conduct towards the Florentines.—Violent conduct of John of Gaunt.—Courtenay resents the insult offered to William of Wykeham.—Courtenay prosecutes Wiclif.—Scene between him and John of Gaunt in St. Paul's.—Disturbances in London.—Courtenay's conduct with respect to Hawle.—Change of views in Courtenay.—His translation to Canterbury.—Receives the cross from Canterbury, under protest.—Made Lord Chancellor.—Opens Parliament.—Infamous conduct of Parliament.—Courtenay officiates at the marriage and coronation of the Queen.—Receives the pall.—His proceedings against Wiclif.—Court of Inquiry at Black Friars.—Earthquake.—Procession to St. Paul's.—Courtenay's proceedings against Oxford.—He officiates at the King's second coronation.—Visitation at Leicester.—His provincial visitation.—Visitation of St. Augustine's, Bristol.—Opposed by the Bishops of Salisbury and Exeter.—Constitution against Choppe Churches.—Schism in the Church of Rome.—Boniface IX. acknowledged in England.—Sale of indulgences.—Statutes of provisors renewed.—Unconstitutional conduct of Courtenay.—Jubilee.—Royal proclamation against the jubilee.—Boniface IX. implores pecuniary assistance from the clergy of the Church of England in vain.—The Archbishop censured by the Government.—He makes a strong anti-papal protest in favour

* Authorities :—Walsingham; Pseudo-Knyghton; Fasciculi Zizaniorum; Dies Obituales Archiepisc. Cantuar.; Political Songs; Lambeth Register.

of the liberties of the Church of England.—Provisions of the Act of Præmunire.—Difficulties at Canterbury and Romney.—Simple tastes of Courtenay.—His benefactions.

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To attempt a description of the family of Courtenay, after the splendid digression upon its fortunes, appended by Gibbon to his sixty-first chapter, would be superfluous or an impertinence. If from a regard to truth and time, we are to give no credence to the grateful or venal monks of Ford, when they represent the Courtenays of Devonshire as descended from Prince Florus, the second son of Peter, and the grandson of Louis the Fat; yet the concession, that the fable was believed in the time of Edward III., is sufficient to account for the pride of birth which was imputed, whether correctly or not, to the cadet of that family, who, in the fourteenth century, sat in the marble chair of Canterbury, the successor of Augustine, or, as he preferred to describe himself, of St. Thomas the Martyr.

In the stirring events of the Third Edward's reign, Hugh Courtenay, Earl of Devon, took an active part; and among the first Knights of the Garter his name is enrolled. His wife was Margaret, the daughter of Humphrey de Bohun, Earl of Hereford; and she was a granddaughter of Edward I.

The founder of the family of Bohun in England was Humphrey "of the Beard," who came over with William the Conqueror. William de Bohun, the brother of Margaret, was created Earl of Northampton in 1337, when the Black Prince was advanced to the dukedom of Cornwall. Of Edward III. and his illustrious son he was the constant companion; and was in the second battalion of the English army at the battle of Cressy. He was one of the original Knights of the Garter.*

* The authority for these statements is Dugdale. The family of Bohun has become extinct. That of Courtenay still exists. The present Earl of Devon is the thirty-first earl.

The eldest son of Hugh Courtenay and of Margaret de Bohun was also named Hugh; and, distinguishing himself, early in life, by his valour and martial spirit, he became, like his father, a Knight of the Garter, and participated in the glories of Cressy. At the great tournament held at Eltham, the king presented him with a hood of white cloth, embroidered with dancing men and buttoned with large pearls. He married a daughter of Thomas Holland, Earl of Kent, by Juliana his wife, commonly called the fair maid of Kent, who was also a granddaughter of Edward I. On the death of the Earl of Kent, she became the wife of the Black Prince, and was mother of King Richard II.

William, the fourth son of the Earl and Countess of Devon,* was born in the parish of St. Martin's,† a suburb of the city of Exeter, or Exminster, about the year 1342. He was educated in his father's house, and was trained to the knightly accomplishments of the age, until he was sent to the University of Oxford. That attachment to their county, and to all that pertains to it, by which Devonshire men are to this hour distinguished, induced his parents to select for his place of residence in the University a hall lately founded by Walter de Stapledon, Bishop of Exeter; of whom, himself the son of a Devonshire knight, we have had occasion already to speak. Young Courtenay was sent to Stapledon Hall, "conveniently situated in St. Mildred's parish, under and against the north wall of the city, that is to say, in the lane going from the place, where Turl or Thorold Gate now is, to the north end of School Street."‡

* His mother, Margaret, bequeathed to the archbishop a gilt chalice and a missal. Dugdale, 640. Testamenta Vetusta, i. 127.

† In his will, which is given in Somner, though not in the Testamenta Vetusta, Archbishop Courtenay says, "Paroch. S. Martini ubi natus fueram." I infer the date of his birth from a statement, probably correct, in Le Neve, which represents the archbishop as 28 years old in 1370.

‡ Wood, Colleges, 104.

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Thus minutely is described the situation of that hall which was father to Exeter College. Courtenay was entered as the son of the Earl of Devonshire, and as descended from the royal blood of England. As a student William Courtenay was not distinguished; for his talents were such as qualified him for the active rather than the contemplative life. Those talents soon displayed themselves when the student had become a graduate, and evinced a readiness to take a conspicuous share in the government of the University. His studies were directed to law rather than to theology, and in law he graduated; but he did not practise in the courts. In one document he is described as “Doctor Decretorum Oxoniæ.”* In 1367 he was elected chancellor of the University, under peculiar circumstances. We have before had occasion, more than once, to mention the disputes which, from time to time, arose between the authorities of the University and the Bishop of Lincoln, with reference to the right of the diocesan to give or to withhold his license to the person elected to the office of chancellor. The independence of the University had now been asserted; and it is especially recorded that, in the case of Dr. Courtenay, he was “invited to take this office upon him in a full congregation of regents and non-regents, on the Thursday next before Pentecost. He was afterwards solemnly admitted without any confirmation of the diocesan.†

The office of chancellor had now become, from an increase of labour, an office of great dignity and importance. He was a magistrate, and required assistance in the administration of justice; his duties were multifarious, and some of them must of necessity be performed by deputies. These were appointed under various titles; sometimes they were called vicegerents, sometimes com-

* Fasc. Zizan. 286.

† Wood, Fasti, 28.

missaries; at last, they were vice-chancellors. They were called vice-chancellors even when the chancellors were resident officers. They corresponded to what are now called pro-vice-chancellors. The chancellor was, at this time, surrounded with the apparatus of dignity. Six beadles attended him when he appeared in public; and a vergers carrying a silver staff preceded him, when he entered the house of assembly, or appeared at church.

Just before he entered upon his office, a controversy had taken place between the University and the mendicants; or rather the University was constrained by the Government to make concessions, which were very unwillingly yielded. The University was compelled to annul all statutes which had been made to enforce conformity upon the friars; and the friars, on their part, stipulated that they should not avail themselves of this relaxation to obtain bulls from Rome, to the detriment of the University or of any person dwelling in it. The king reserved to himself and his council the power to reform abuses, and to settle any differences that might arise between the contending parties. Dr. Courtenay took part with the University against the friars, and was supported in his proceedings by Dr. Wiclif. On Courtenay's election to the chancellorship, in 1367, the friars were violent in their indignation against him, and violated their part of the compact by citing the chancellor of the University to Rome. The king interposed, and prohibited the citation, leaving Courtenay not a little exasperated against the friars and the court of Rome.*

The powerful friends of Courtenay had not been unmindful of his pecuniary interests; and the Chancellor of Oxford had, at an early period of life, been instituted to prebends in the cathedrals of Exeter, Wells, and York.

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* Par. 41, Edw. III. l. m. 13. Wood's Annals, 480.

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In 1369, when he was in his twenty-eighth year, they succeeded in obtaining for him the Bishopric of Hereford. His defect in age was made up by a bull dated August 17, 1369. It is not certain who officiated at his consecration. But it appears from his register, that it took place on the 17th of March, and in London. It does not appear in Whittlesey's register, so that he was most probably consecrated by Sudbury, then Bishop of London, whom Courtenay was destined to succeed, both in the see of London and also in the metropolitan see. He commissioned his vicar-general on the 19th of March, 1370. He was enthroned on the 5th of September, 1370.*

Courtenay, vehement and impetuous, with generous impulses and a high spirit, popular in his manners and energetic in all that he undertook, entered public life, when party feeling ran high.

We need not enter into a particular description of the state of parties, since this has been already done in the Life of Sudbury. We need only allude to the fact, that two parties were now contending for power, not, as in times past, in the field of battle, but in the two Houses of Parliament; and especially in the House of Commons, which, through a happy combination of circumstances, had now begun to assume that important position in the constitution, which it never lost.

At the head of the one party was the Prince of Wales, who had been drawn from his retirement by suspicion of the ambitious designs of John of Gaunt, the Duke of Lancaster. Whether John of Gaunt was really planning to set aside the son of his elder brother, who had always hitherto regarded him with particular affection, cannot be known. It is only known, that he was endeavouring to obtain power over the weakened mind of the king,

* These statements are made on the authority of Courtenay's Register at Lambeth.

now in premature dotage; and that he was as rough, rude, and domineering, as his brother was affable, courteous, and kind. The Duke of Lancaster had for his clerical adviser, Dr. John Wiclif, who was regarded at this time not merely as a divine, but as a politician of extreme opinions. The Prince of Wales had, for his adviser, his father's old friend, William of Wykeham Bishop of Winchester. William of Wykeham found in Courtenay an enthusiastic supporter.

In this life, we have not to go far into political affairs, for Courtenay did not take a prominent part, like some of his predecessors, in the government of the country. It is only necessary to remind the reader that in church politics, there was an important distinction, which, though often passed over, must be borne in mind, if we would do justice to Courtenay's character.

The pope was at Avignon. The whole English nation was therefore, on political grounds, anti-papal. Courtenay, in the early part of his life, and the politicians on his side, were more eager than their opponents to resist papal aggression in all its shapes and forms. Some of the strongest anti-papal measures were introduced by them in "the good parliament." But they were equally zealous to uphold the rights of the clergy of the Church of England. "Defend us from the pope," they said, "if you wish us to support you by our purses."

This was perfectly consistent with a deference to the pope in things spiritual. As we have frequently remarked, the question was as to rights of suzerainty. They did not deny the superiority of the suzerain, when they resisted the exercise of that authority on certain points. Hence Courtenay was sometimes anti-papal, and at others unduly subservient to the papacy.

John of Gaunt found the clergy of the Church of England, as a body, determined to resist his ambitious

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designs; and against them he waged war. From party feeling he would act, as Wiclif did from higher motives. He would drive the clergy from all secular offices and confine their labours to the discharge of their clerical functions. John of Gaunt was prepared to side with the pope, at this period, if only the pope would strengthen his hands against the English clergy; and the pope would abet John of Gaunt, if he would force the clergy to contribute towards the replenishing of the papal as well as of the national treasury.

We are thus able to understand how Courtenay and John of Gaunt were vehemently opposed to each other, at the commencement of Courtenay's career. They were neither of them men who acted upon any fixed political principles. They were men of impulse, who acted only as the exigencies of the time required, with a view to party purposes. When by circumstances the party combinations, on either side, had been dissolved, they came together and acted as friends. They showed, by their so doing, that, in the early period of their career, party, not principle, influenced Courtenay, and certain private ends and objects John of Gaunt. We shall find them, at different periods of life, each of them acting in unconscious inconsistency; and doing at one time what at another they would have reprobated. It will be remembered, that it is of political principle that we are speaking, and not of religious principle.

Another peculiarity in the career of Courtenay must be noticed: his preferment to the see of Canterbury, when that appointment he received, marked a new era. With the exception of Boniface, the Archbishopric of Canterbury had not been regarded as a provision for the aristocracy. From the time of Langton, with this exception, it had been not a dignity to be conferred, but an office to which men were to rise. It had been held by men who

had previously been educated as lawyers, and who had distinguished themselves as statesmen. An eminent statesman felt, that he had as much right to claim the archiepiscopal mitre, if the see of Canterbury fell vacant when he was chancellor, as the attorney-general, at the present time, would urge his claim to the chancellorship if, by any good fortune, that office were vacant. In these days, it is assumed that the person nominated to a bishopric is not entirely ignorant of theology, or openly hostile to the church. The assumption in the thirteenth century was, that he was competent as a lawyer not less than as a divine. Some exceptions were made, but these are to be accounted for by circumstances. It was possible then, as now, for a learned divine to be on the episcopal bench, as was the case with Bradwardine; but with the exception of Boniface—a precedent to be avoided—no one had been appointed to the primacy simply on the ground of his being an aristocrat, or one who was nearly or remotely connected with the royal family.

The preferments of Courtenay were viewed with jealousy by the merely professional men. The lawyers and older statesmen asked what the young man had done. He had graduated as a lawyer at Oxford, but he had not practised in the courts; he was ordained, but he was unknown as a theologian. They did not begrudge him the see of Hereford, but angry feelings were excited when he was translated to London and Canterbury. On the other hand, his appointments were viewed with great satisfaction by the people in general. How violent was the feeling against lawyers, we have seen in the life of Sudbury. The fact that Courtenay was not a lawyer was, among the mass of the people, a point in his favour, and was one of his recommendations after Sudbury's death. The ancient nobility were in favour with the people, whose hostility was directed against that new aristocracy,

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which was springing up from among the citizens and burghesses, and who were converting villeins into slaves. The fact, therefore, that Courtenay belonged to an old family secured for him the goodwill of a large portion of the community; but so happily was he circumstanced, that his advancement was viewed with equal favour by the new aristocracy. The laity had, up to a period not then remote, confined themselves, in the upper classes, to military exercises, and to the art of war; the middle classes to the pursuits of commerce; leaving agriculture to the lower orders and to the monks and clergy who, by the skilful management of their estates, had become enormously rich. The laity had now, however, begun to turn their minds to other subjects; and, brought together by parliament, they were tending to that division of labour which is the foundation of various professions. They were beginning to say, Let the clergy confine themselves to theology, and it will be the better for religion; let law be a distinct profession, which the laity will no longer despise; let the lay nobles assume the direction of state affairs. A *ne sutor ultra crepidam* feeling was beginning to prevail; and these parties were pleased to see an aristocrat advanced to the highest position in the church, simply because they rejoiced to perceive that men of noble blood were beginning to feel, that there were other sources of ambition opened to them besides those which were offered in the battle field.

In these remarks we have anticipated our history, although they are clearly necessary to render our history intelligible.

Courtenay retained the see of Hereford for three years. He did nothing to make his episcopate memorable; but, under William of Wykeham, he laboured diligently to promote the interests of his party, and was diligent in his attendance upon convocation. Here he acted as the

leader in opposition to the government of the Duke of Lancaster. We have had occasion, in the life of Whittlesey, to refer to that memorable debate in convocation, when Bishop of Hereford stood forward as the champion of England against the pope.* He complained that the English clergy were subjected to a double taxation: subsidies were required by the king, and subsidies were required by the pope. He had conferred with the clergy of his own diocese, and they agreed with him in a determination not to contribute to the exigencies of the state, unless the government would stipulate to protect them from the exactions of the papal court.

In 1372, the Bishop of Hereford suffered a severe domestic affliction in the death of his cousin, the Earl of Northampton; but he had by this time established a position in the country for himself, and continued in favour with the Prince of Wales. The prince's party was in the ascendant, when the see of Canterbury fell vacant by the death of Archbishop Whittlesey in 1374; and when it was proposed that Sudbury should be translated from London to Canterbury, the proposal was at once accepted. For the party perceived the importance of securing London to their side, by providing that see with a prelate, whose high birth rendered it easy to conciliate the commercial men anxious to establish an interest at court, and whose popular manners formed a favourable contrast to those of Sudbury.

To the see of London Courtenay was translated in the year 1375; and he was soon after nominated one of the Council of Regency, if we may so style the committee, appointed by the "good parliament," to advise King Edward III.

Bishop Courtenay was indefatigable in his endeavours to obtain the confidence and goodwill of the Londoners; and sometimes, for this purpose, he had recourse to very

* See p. 239 of this volume, where is also given the remonstrance of the good parliament against the pope.

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reprehensible means and measures. Such was his conduct with reference to the Florentines. The pope had excommunicated the Florentines; and, as the banking business was, in most countries, conducted by them, he directed that the bull should be published in every kingdom, and that, on the publication of it, their effects should be sold. Any country was to be placed under an interdict which should prohibit the publication. On the other hand, the prelate who should dare to publish the bull in England, would incur the penalties of a *præmunire*. These penalties Courtenay determined to risk, trusting to his position in the government for protection. To the great delight of the populace, the bull was published at Paul's Cross; and they proceeded forthwith to plunder the houses of the excommunicated Florentines. But the bishop had here overshot his mark. The merchants of London would not tolerate such an act of spoliation, or allow such a precedent to be established. The lord mayor came forward for the protection of the persecuted Florentines; and the Bishop of London was summoned before the Court of Chancery, to account for his illegal conduct. He had nothing to plead but the papal mandate; and on his pleading this, he was referred to the statute of *præmunire*, and was warned that, unless he withdrew the plea, all his property would be forfeited to the crown, and he himself be placed out of the protection of the law. He was commanded to cancel the publication of the bull, and to revoke certain words relating to an interdict, which, on its publication, he had uttered at Paul's Cross, and which were supposed to derogate from the supremacy of the crown. The bishop, with great difficulty, obtained permission to do this by deputy; and one of his officials, mounting the pulpit, declared that the bishop had been misunderstood, and that he had made no allusion to an interdict. He expressed his surprise,

that persons so accustomed to hear sermons from that pulpit should have so entirely misapprehended their bishop.

The death of the Prince of Wales, which occurred soon after the translation of Courtenay to the see of London, changed the whole aspect of affairs. John of Gaunt naturally assumed the direction of the royal family; and was perfectly aware, that the king required to be managed, not controlled. Edward III. seems to have suffered from what now would be called a softening of the brain. No one knew when he would, in his imbecility, permit himself to be led, or when the expiring fire of the Plantagenet would emit a hasty flame. The people watched jealously over their dying hero; and the whole case required delicate treatment. Alice Perrers was, in consequence, recalled. The Black Prince could supersede her but no one else. She ruled the king and was herself ruled by John of Gaunt; who, in the triumph of his party, lost all sense of moderation and gave full play to his malignant passions. He defied public opinion, and public opinion attributed to him ulterior designs of a treasonable character. He purchased the support of Lord Percy, who had heretofore adhered to the opposite party, by conferring upon him the office of Earl Marshal; an office which the Earl of March had been compelled to resign. He sent the leader of the House of Commons, Peter de la Mare, a prisoner to Nottingham Castle. This circumstance tended to confirm the suspicion of ulterior designs of the Duke of Lancaster upon the throne; for Peter de la Mare was regarded as the representative of the heir presumptive. John of Gaunt attacked the venerable Bishop of Winchester, William of Wykeham; and seizing his temporalities declared them forfeit to the crown. The king's council was dissolved. The King of Castile was the dictator of England. Never was there a more complete sweep, and a *coup d'état* would have certainly ensued, if

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John of Gaunt had possessed either a standing army, or the affections of the people.

He knew his unpopularity ; and instead of seeking to obtain the popular favour he had lost, he chafed under the hatred which he had incurred, and raved against all, who dared to oppose his will.

In the meantime, Courtenay a man of the highest rank had lived among the Londoners, and by the courtesy of his manners, more than by any special acts of munificence, had endeared himself to them. His predecessor Sudbury had been non-resident, and though the more munificent of the two, failed to obtain the good-will of the people. The hearts of men are more easily won by personal kindness than by substantial benefits.

The Bishop of London was justly indignant when he heard that, at the meeting of parliament, no writ of summons had been issued to the Bishop of Winchester ; but his anger knew no bounds when he found that Archbishop Sudbury, a partisan of the Duke of Lancaster, had neglected to send the venerable prelate a summons to attend the Convocation, which met on the 3rd of February. Of the determination and vigour displayed by the Bishop of London, on this occasion, we have already said something in the life of Archbishop Sudbury. The convocation had been summoned to vote a subsidy to the government. The Bishop of London had prepared himself, and produced several rolls of parchment, in which were narrated the injuries inflicted by the government upon the friend of the Black Prince and the former minister of the insulted king. He eloquently pleaded in behalf of one of the most distinguished statesmen of the day, who, without a trial, had been condemned ; and he adjured his brethren to refuse a subsidy until satisfaction had been rendered to the injured prelate. We need not refer again to the enthusiastic response returned to this appeal ; or state how the reluct-

ant primate was compelled to yield to the inflexible convocation ; in which, ere February was over, the Bishop of Winchester had resumed his seat.

This was a decided party triumph, and the Duke of Lancaster was enraged by the opposition thus headed by the bishop. Although the duke's temper was ungovernable in its first outbreak, he was able, after a time, to control his feelings, and to act with some discretion. He was aware of the increasing popularity of Dr. John Wiclif, and that he had a strong party within the city. He sent for Wiclif, and, knowing his hostility to the clergy, determined to produce him as the opponent of Courtenay. It was a wise measure.

Courtenay, however, was undaunted. He was equal to the crisis. He knew Wiclif to be, though full of moral courage, yet a man physically timid. Wiclif, as an inmate of the duke's family, had placed himself within the jurisdiction of the bishop of London. The bishop was aware, that a charge of heresy—that charge so easily made and so difficult to establish—had been brought against the great Oxford doctor. He determined, therefore, to disqualify him at once from taking part in public affairs, by placing him upon his trial, and by obtaining, if possible, a verdict against him. Although the archbishop belonged to the opposite party, yet, when once the charge was made by the diocesan, the metropolitan could not refuse to cite the accused before a court of enquiry. The Bishop of London cited Wiclif to appear before the metropolitan in St. Paul's Cathedral, on the Thursday before the feast of St. Peter's Chair, the 19th of February 1377.

Courtenay was no theologian ; he had not graduated in divinity. He cared at this time little for heresy, strictly so called. But some of the opinions propagated by Wiclif, in defending the policy of his patron, the Duke of Lancaster, were so ultra-radical, if we may use a

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modern expression to describe an ancient fact, so subversive, apparently, of the framework of society, that, by a construction, not at that period very forced, they might easily be placed in the category of heresies, and justify the arraignment of the propagator of them as a heretic. How entirely the meaning of this prosecution was political, observes a writer, perhaps the best qualified among our contemporaries to give an opinion on the subject,* may be gathered from the total omission in the articles of accusation of all matters not bearing upon the question of the hour. The object of the prosecution was to proclaim to the world, that society was endangered by the political principles that John of Gaunt was putting in practice against the Church. On the day appointed, the Lady Chapel of St. Paul's Cathedral was filled at an early hour by "dukes and barons," by all of the lay peerage who were on Courtenay's side. Many prelates had assembled, and they had transacted some preliminary business, when great shouting was heard from without; and a tumult was occasioned at the west end of the cathedral, a perfect mob having poured in through the side doors in a state of great excitement. Upon enquiry, the Bishop of London was informed that Dr. John had arrived, attended by the Duke of Lancaster and Lord Percy, the newly-elected Earl Marshal of England.

The intention of the duke and of the earl marshal to attend on this occasion had not been notified to the civic authorities, and no extra precautions had been taken to preserve the public peace. Under these circumstances, the earl marshal had directed his men to act as a police; a measure which had excited the indignation of the Londoners. They regarded his conduct as a violation of their charters, and as an insult offered to their chief magistrate.

* Canon Shirley. Fasciculi Zizaniorum, xxvii.

They crowded into the church, determined to support and protect the bishop. The crowd in the nave and aisles was so great, that it was with difficulty the ducal party made their way towards the Lady Chapel. Percy ordered his men roughly to force a passage. What right, however, had the earl marshal to issue orders within the precincts of the bishop of London's cathedral? Courtenay remonstrated, and told him that if he had foreknown what his conduct would have been, and how, as earl marshal, he would have assumed the mastery there, he would have inhibited his entrance into the church.

The duke, already enraged by the reception he met with in the city, was unable to restrain himself, and insolently called out, that the lord marshal should play the master there, whether the bishop should say nay or not.

Arrived at the Lady Chapel, the duke and the earl were accommodated with seats; and Wiclif stood in front of the assembled prelates, attended, to the astonishment of the bystanders, by four friars prepared to act as his counsel. The earl marshal again took it upon himself to give orders in the ecclesiastical court, and ordered a seat to be provided for Dr. Wiclif, observing sarcastically, that, considering the many questions which would be put to him, a soft seat he would need.

This was conduct that no court, civil or ecclesiastical, could tolerate. But Courtenay preserved his temper, and merely directed that no seat should be provided, observing that it was contrary to law and to reason, that a clerk, cited before his ordinary, should be seated during his trial. A discussion followed which was interrupted by the duke, red with rage. He vowed that he would bring down the pride of all the prelates of England; "and as for thee," he said, pointing to the bishop of London, "thou bearest thyself so brag upon thy parentage, but

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they shall not be able to help thee; no, I will take care that they shall have enough to help themselves.”*

There was dignity in the bishop's reply:—"My confidence is not in my parents, nor in man, but in God, and God only. By His assistance I shall be bold to speak as I ought to speak, and to maintain the truth."

The calmness of an opponent only adds fuel to the fire which consumes an angry man's breast; and the duke was heard to mutter between his teeth,—he intended, indeed, that his words should be heard,—that rather than tolerate such words from the bishop, he would drag him out of the church by the hair of his head. Had those around him given him the slightest encouragement, doubtless he would have made the attempt. But he soon discovered that his escort was barely sufficient to procure for him and the earl marshal a safe retreat to the Savoy Palace, which was his London home.†

* "Erubuit dux quod non potuit prævalere litigio," which Foxe understands of his blushing for shame, because in the act of brawling and railing he could not excel the bishop; though the bishop, according to the statements of his enemies, kept his temper marvellously well.

† Modern writers—Fuller, Collier, Vaughan, Le Bas—follow Foxe in describing this scene. Foxe quotes as his authority a chronicler, D. Albani, which his editor says is nowhere to be discovered, but which I find to be in the possession of the Archbishop of Canterbury. In the *Archæologia*, however, vol. xxii., is published an historical relation of certain passages about the end of Edward III., and of his death, from the Harleian MS., 6217, which is supposed to have been a translation of Foxe's manuscript. See note to Seely's Foxe, ii. pt. 2. Walsingham, 192, speaks of the "verbum quoddam injuriosum et insolens a duce Lancastriæ, Episcopo Londinensi prolatum." Foxe would not have produced the passage if it had not, in his opinion, tended to the honour of Wiclif. It is pleasant to find Milner saying, that it would have given him real pleasure if he could have discovered any proof that Wiclif protested against the insolent and disorderly behaviour of his patrons, adding that the deportment of the archbishop and bishop seems to have been more unexceptional than that of Wiclif and his friends. May we not, however, interpret Wiclif's silence as a censure upon his friends? They must have acted in some measure without his connivance. We can

If there be truth in the old saying with reference to early rising, our ancestors in the fourteenth century must have been healthy, and wealthy and wise. The meeting was dissolved at nine o'clock in the morning, and the bishop of London returned to his home, having in point of fact effected his purpose. By the intemperate conduct of the duke and of lord Percy, that party had suffered a signal defeat; and Wiclif had received a significant hint not again to concern himself in party politics. All this the bishop had accomplished without having been compelled to substantiate his charges against Wiclif. He had triumphed as a politician without being obliged to take the unpopular side as a theologian. He does not appear to have attended the parliament which was sitting at this time; or he could not have been taken by surprise at what soon after occurred.

As soon as the council had broken up, the duke and the earl marshal, almost demented by their rage, had gone to the parliament; and there they proposed a petition, or as we should now say, introduced a bill, praying the king to disfranchise the city of London—to cancel its charter, and to abolish the office of mayor. They proposed to place the city under the command of a *custos*,* to be nominated by the crown; and, at the same time, to vest in the earl marshal, all that related to the preservation of order and the arrest of offenders.

The tyrannical and revolutionary proposals of the duke, were soon known in the city, through John Philpot, one of the representatives sitting for London, by whom the suggested measure had been strongly opposed.†

hardly suppose that he would himself have selected four friars for his counsel.

* He is so called in the Harleian MS., though in some histories he is styled captain.

† In Maitland's Hist. of London, the name of Philpot occurs as M.P. in 1377, 1381, 1383.

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The next day the citizens assembled in crowds, to decide on the proper course to be taken for the maintenance of their rights, thus grossly invaded.

The bishop, of whose support the citizens were secure, took no part in these meetings or debates. At first, there was no ground for alarm. The citizens appeared determined to maintain the law, but it was not supposed that they would take the law into their own hands, or proceed to acts of violence.

The episcopal palace was a place of considerable strength; but it was at this time more than usually strong, for that the bishop himself lived in the affections of the people. The ordinary routine was observed, and at the usual hour the large family of the bishop, chaplains, knights, clerks, and retainers assembled in the vast and lofty hall. It was a gloomy prison-like apartment scantily furnished. It was lighted by two large windows high in the wall and looking into the inner court. In the centre stood a long table on tressels, and beneath was a plentiful supply of fresh straw. Along the table were forms until the dais was reached. On the dais stools were arranged, and in the centre for the bishop a straight-backed wooden seated arm-chair. Every thing, even to the placing of the dishes on the table, was done with precise order and much ceremony. In grandeur our ancestors excelled us; but they were deficient in all that related to comfort. There was a hatch on either side of the door, and near it a large cupboard or buffet, on which were arranged dishes of earthenware and brass, with a few of silver for the high table; silver goblets being intermixed with cups of horn, a few drinking glasses, jorums, and jacks. The servitors at the hatch were busy, though not as active and joyous as at other times. The season was that of Lent. This made, however, no diminution in the number of dishes; it rather tended to increase their number, for

though fish was the only food, yet the fish was dressed in a great variety of ways.

The bishop had scarcely taken his seat, when information was brought him of a tendency to insubordination on the part of the populace. It had been reported that the earl marshal had already commenced his new duties, and had actually imprisoned a Londoner. The populace had attacked Lord Percy's house; had broken through the gates; had released the prisoner; and had made a bonfire of the stocks, to which they had found him bound. Armed with bills and javelins they had searched the house, vowing death to Lord Percy himself.

The bishop was aware, that Lord Percy with the Duke of Lancaster, who had a party, though a small one, in the city, was at a feast given by a Londoner named John Yper; and, as his person was safe, the bishop did not think it necessary to interfere.

A messenger, however, soon after arrived, stating that the house of John Yper had been attacked. The bishop, remembering the insolence of the duke in the cathedral, could not forbear from smiling, when he was told that the duke was just on the point of swallowing an oyster, to whet his appetite for dinner, when the mob succeeded in breaking through the gates of the house; and that, in his eagerness to escape their vengeance, the royal duke had tumbled over one of the forms and had broken both his shins. It was with difficulty that he and Lord Percy reached the river, where they took boat. Their destination was not known. It was afterwards discovered that they had gone to Kingston, where the Princess of Wales resided with her son; that is to say, they sought protection from the opposite party. But the Londoners supposed that they had gone to the duke's palace in the Savoy, and thither they proceeded, determining to deal with the duke as they had dealt with the earl marshal. The bishop of

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London now thought it time to interfere ; and he lost not a moment in hurrying to the ducal palace, to save it, if possible, from destruction. He arrived only just in time. The infuriated mob had made their attack. They received the bishop with cheers. He waved his hand, and asked them to hear him. Silence being obtained, he reminded them that it was a sacred season—Lent. He entreated them for the love of God, and for their own souls' sake, not to desecrate the season by performing, in the mass, what not one of them would dare, separately, to attempt.* The people at length were pacified. They did not burn down the palace. But they reversed the duke's arms in the chapel, as those of a traitor ; and this harmless piece of vengeance was repeated in various parts of the town. This reversal of his arms was peculiarly offensive to the duke, and as the bishop did not interfere to prevent this personal insult to his adversary, any obligation under which he may have placed the duke by preserving his palace from destruction, was cancelled. There was certainly no immediate sign of any goodwill on either side. In the life of Sudbury, mention has been made of the assassination of Haule by certain partisans of John of Gaunt, and the daring violation of the rights of sanctuary of which the murderers had been guilty. The bishop of London made political capital out of the transaction, and having forced the reluctant primate to pronounce sentence of excommunication against the murderers and their abettors, he repeated the anathema

* The words of Walsingham show how much influence the bishop possessed over the minds of the people : “Episcopus ne hoc fieret omnino prohibuit, et nisi tunc Episcopus se opposuisset eorum conatibus, hospitium dicti ducis de Savoy eo furoris sui tempore combussissent qui vix ab illo proposito Antistitis interventu refrænati sunt. *Tandem ad nutum Pontificis* quieverunt.” The contrast between the popularity of Courtenay and unpopularity of Sudbury is to be remarked—the one was a lawyer, the other a statesman.

every Sunday, Wednesday, and Friday at St. Paul's, and in sermons denounced all who had abetted the deed. The Londoners were much excited on the subject, and their bishop condescended to enact the part of demagogue. Who was the chief abettor, or who was the person chiefly to be benefited by the murder, was known or surmised by all.

John of Gaunt was, at this time, with the court at Windsor, and he easily prevailed upon the council to issue a command that the bishop should cease from fulminations, the object of which was too apparent. To this mandate the bishop gave no heed, and the fury of the duke knew no bounds. He vowed that, if he could only obtain the king's permission, he would ride to London, and in spite of ribald Londoners, would drag the contumacious prelate by his beard before the board. He might utter the threat with impunity, for the king's consent implied the consent of the council, and a majority in the council the duke could not, at that time, command.

The Bishop of London was appointed with the Archbishop of Canterbury, a delegate of the pope, to examine Dr. Wiclif on the subject of certain charges brought against him, on some abstruse theological questions. Both prelates were reluctant to act on this occasion, and connived at the interference of the government in causing the proceedings to be suspended. We may, at least, infer this from the fact that, on the accession of Richard II., bishop Courtenay had been appointed one of the Council of Regency.

From the accession of Richard II. the strong party feeling, on the part of Courtenay, began to subside. During the three years preceding the insurrection of Wat Tyler we hear very little of the bishop of London or of his proceedings. He was present at the parliament of Gloucester,

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but he did not take an active part in the debates. A considerable change took place, during this period, in his views, if not in his character. The son of the Black Prince being safely on the throne, there was no longer ground for suspicion against the Duke of Lancaster on the one side; and on the other side, the duke having failed in his designs upon the crown, if ever he entertained them, was more inclined to conciliate than to exasperate the clergy, in whom he had seen his chief obstacle. His great object was to advance the interests and secure the legitimation of his children by Catherine Swinford; and he saw the importance of establishing friendly relations with the clergy. When the theology of Wiclif interfered with the politics of the duke, from the ducal palace Wiclif was dismissed; and in the course of a few years the Duke of Lancaster and Archbishop Courtenay were able to live together, if not in intimacy, yet in peace.

Courtenay's intercourse with Rome became also more friendly; and he was less inclined to act the part of demagogue, as republican principles began to display themselves in Wiclif, and more particularly in his followers. But it is impossible to account for the conduct of a man, who, as we have said, acted from impulse rather than from principle; and, though generally with caution, yet only with a view to immediate results.

On the death of the unfortunate Sudbury, the eyes of the whole nation were fixed upon Courtenay as his successor. Courtenay did not, perhaps, deserve all his popularity, and Sudbury certainly did not merit the odium with which he had been regarded; but the fact was that a popular successor to the murdered primate was required; and a name more popular than that of Courtenay, with the class most opposed to Sudbury, could not be found. The Chapter of Canterbury were as eager to postulate his translation, as the government to recommend him to their

notice in the *congé d'élire* freely granted to them by the king.

Courtenay was placed under rather difficult circumstances, and extricated himself with considerable ability and skill. Notwithstanding the Statute of Provisors, the opinion very generally prevailed, and was hardly denied by the government, that the pope had supreme power in what related to translations; the chapter might elect, but he only could sanction the divorce of a bishop from the see to which, in his consecration, he had been wedded. But this opinion was not undisputed, and the party which was inclined to dispute it was the party to which Courtenay had hitherto belonged. There was a delay in the bulls from Rome, and the pall was not sent. If the pope were to withhold the pall; then, according to the principles then in vogue, Courtenay, though Archbishop of Canterbury, would have no authority to discharge the peculiar functions of a metropolitan. The delay in granting the pall was occasioned, probably, by a difficulty encountered by the papal lawyers in regard to the form in which the oath of fealty should be administered. There were two popes in existence, and the object was to bind the archbishop to an allegiance to Urban, to the exclusion of Clement.* But Courtenay, not knowing the cause of the delay, thought it expedient to act with extreme caution. In the meantime, on the ground of the election accepted by the king, Courtenay had done homage, and had received the temporalities of the see. A deputation from the chapter waited upon him in London, to present him with the archiepiscopal cross,—a ceremonial of which we have previously given a description. The archbishop received the prior and the monks who attended him, on the 12th of January, with great state, in

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* The form of oath finally agreed upon may be found in Wilkins, iii. 154.

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the chapel at Lambeth, though he had not as yet taken up his residence in that manor. On delivering the cross, the prior said :—“ Reverend Father, I come an ambassador from the King of kings, who enjoins thee to undertake the government of His church of Canterbury, to love it and to protect it. I here present thee with the standard of the King of kings, to be borne by thee and before thee.”

The archbishop received the cross, but, his legal knowledge not being much deeper than his theological, he raised the question, whether it ought to be carried erect before him antecedently to his reception of the pall. The prior, very properly referring to the principles of common law, remarked that all such objections were overruled by the customs of the church of Canterbury. As the archbishop was required to officiate almost immediately at the marriage and coronation of the queen consort, and as it was necessary that he should appear in all his state and dignity on the occasion, he thought it expedient to follow the advice of the prior ; but he did so, under protest, that he had no intention of acting in contempt of the court of Rome.

Soon after receiving the royal assent to his election, Courtenay accepted the great seal.* He only held the office of chancellor for about three months, and probably accepted it merely for the convenience of the government, until some final arrangements could be made. It is to be remarked, that the young king had succeeded in the good work of promoting peace among those of his relations and friends who had been political opponents, or who had been engaged in personal disputes. The Duke of Lancaster was present, as a consenting party, when the great seal was confided to Courtenay, and their enmity from that time ceased. The Duke of Lancaster gave up the

* Rot. Claus. 5 Ric. II. m. 25.

cause of Wiclif, and the archbishop was prepared to resign the great seal to Sir Richard le Scrope, a friend of the duke, at that time abroad.

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The archbishop, as chancellor, opened the parliament which met on the 4th of November 1381, with a sermon or speech dwelling upon mere generalities. The real business of the session was stated by Sir Hugh Segrave, in the House of Commons.* Sir Hugh, as lord high treasurer, speaking by the king's command, informed the commons that the chief cause of their summons was to protect the liberties of the Church of England against the pope, and to provide for the maintenance of peace; especially by punishing the authors of the late horrible tumults and rebellion made against the king, who had been forced by the rebels to grant charters of liberty and manumission to men who were only bond-tenants and villeins of the realm. The king, he said, knowing that what he had done was illegal, desired his parliament to provide a remedy, and to devise measures for revoking the charters. He lastly asked for money, which the king required to maintain the dignity of his court and to carry on the war.

In other words, the commons—in whose house the bold peasantry of England, the men to whom the country was indebted for the glories of Cressy and Poitiers had no representatives—were convened to sanction the vilest act of perjury of which ever king was guilty. They were to authorise the king to violate the solemn pledges he had given to an oppressed portion of his people.

To this proposal of the House of Commons,—the upper house gave their consent. It was indeed to pacify the middle classes, that this hecatomb of the working classes was offered. Lords and commons agreed, that all grants

* An account of this scandalous parliament is given in Brady and the Parliamentary History.

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of liberties and manumissions to the said villeins and bond tenants, obtained by force were in disinherison of them, the lords and commons, and were therefore null and void.* The king appeared before his people a liar. A king on whose word no reliance can be placed, must expect to lose his life, if ever there be a successful insurrection. I wish we could prove that Courtenay had expressed dissatisfaction at this infamous transaction. While the parliament was sitting, the news arrived, that the Lady Anne of Bohemia, the future Queen of England, had arrived at Dover. Her arrival was an occasion of much rejoicing, for a French fleet had been, for some time, cruising in the channel with the avowed purpose of capturing the princess, and so of preventing the marriage. The archbishop hastened to Canterbury, to be among the first to offer his congratulations to the princess, and to bestow upon her the benediction of his church. He placed his palace at her disposal. She was received by the Earl of Buckinghamshire at Canterbury, with great ceremony, and was by him escorted to London.

The archbishop officiated at the marriage of the royal couple which took place on the 20th day after Christmas,

* The following is the form in which the manumissions were granted: "Richardus, Dei Gratia, Rex Angliæ et Franciæ, et Dominus Hiberniæ: omnibus ballivis, et fidelibus suis, ad quos præsentem literæ pervenerint salutem. Sciatis quod de gratia nostra speciali manumissimus universos ligeos, et singulos subditos nostros ac alios, comitatus Hertfordiæ, et ipsos et eorum quemlibet ab omni bondagio exuimus et quietos facimus per præsentem, ac etiam pardonamus eisdem ligeis ac subditis nostris, omnimodas felonias, proditiones, transgressiones, et extortiones, per ipsos vel aliquem eorum qualitercunque factas sive perpetratas, ac etiam utlagariam, et utlagarias, si qua vel quæ in ipsos, vel aliquem ipsorum fuerit vel fuerint hiis occasionibus promulgata vel promulgatæ, et summam pacem nostram eis et eorum cuilibet inde concedimus.

"In cujus rei testimonium, has literas nostras fieri fecimus patentes. Teste meipso apud London, 15 die Junii. Anno Regni nostri quarto."

in St. Stephen's Chapel, so long used in aftertimes as the House of Commons. It was fitted up with great splendour for the occasion. Soon after the marriage, the young queen was anointed and crowned by the archbishop in Westminster Abbey. She now earned for herself that high title, which she never forfeited, of "good Queen Anne," by putting an end to the legal butchery which under Tressilian had been going on against the late insurrectionists. She asked for and obtained a general amnesty.

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Nothing could have exceeded the barbarity and cruelty with which execution had been done on the unfortunate working classes, who had only risen to assert their just rights, but were ruined by having an incompetent leader; when the upper and middle classes regained their ascendancy, and could bring down an armed force upon them. The legal murders of Tressilian exceeded those of Judge Jeffreys; and he deserves as much the execration of mankind. Let us be permitted to hope, that the foreign princess had been prompted, in her benevolence, by the archbishop, whose sympathies had certainly been hitherto evinced towards the lower orders, and who never lost his popularity among them.

Immediately after the royal nuptials, the archbishop despatched Sir Thomas Cheney to the papal court for the pall. He received it with great ceremony at his manor of Croydon, from the hands of the Bishop of London, on the 6th of May, 1382.*

What remains to be told of Courtenay's history, may be divided into two sections. We will give an account of his proceedings against Wiclif and the Wiclifites; and then advert to other measures which he adopted for the government of his province.

* Stubbs, 140.

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I. That Wiclif and his immediate followers were not concerned in the late insurrection will be readily admitted by every impartial student of history : as readily, however, will he admit that among Wiclif's contemporaries, especially among those who were opposed to his principles, it was natural to suspect that the movement was instigated by him. The reader of history will not be surprised to find that a large portion of the thinking men in this country traced the prevalent feeling of discontent and insubordination to the extreme and revolutionary principles, which Wiclif had maintained and propagated. Even many, who had employed him for political and party purposes, had, since the insurrection, become alarmed. Treason had long been regarded as heresy, and heresy as treason ; and the distinction between the two offences had not yet been made. The anti-papal feeling, strong as it was while the popes were at Avignon, was a political not a religious feeling ; and when, after the warning given by the insurrection, men heard, that Wiclif was still propounding strange doctrines at Oxford, the whole conservative party, then, as always, a large party, were heard to ask what are the bishops doing. We are able easily to understand, how the bishops were called upon to act despotically by the very men, who, in their own case, would have resented any undue exercise of ecclesiastical power. There were few among the bishops, at that time, who were theologians. They took little interest in the discussions to which the theological writings of Wiclif had given rise, so long as these discussions were confined to the schools, and no appeal was made to the passions of the ignorant. But the alarm had now spread to Oxford itself.

Wiclif had long been feared or valued as a radical reformer in things civil and ecclesiastical ; he was now attacking the dogmas of the Church. He discoursed on the Eucharist ; he assailed the doctrine of transubstan-

tiation ; he advanced a doctrine very similar to that at the present time maintained in the formularies of the existing Church of England. From the days of Paschasius Radbert, the author of the dogma of transubstantiation in its present form, it had found opponents among learned men : such as Bertram, Johannes Scotus, Berengarius and others. But Wiclif was in a different position, since the dogma had been accepted by a Lateran council, as a dogma of the Western Church, in the time of Innocent III. ; and the Church of England had not at this time renounced it. Nevertheless, Wiclif would have been permitted, as a schoolman, to have disputed and discussed these and other points, if he had not been also a busy politician, and if the times had not been times of commotion and disturbance. The alarmist party at Oxford, not only opposed him, but drove him from the University to his living. A reaction, however, took place ; new officers, favourable to Wiclif, were elected. Wiclif himself was recalled ; and he appealed from the University to the king and parliament.

The opponents of Wiclif now accused him and certain of his adherents of heresy to the archbishop. That the archbishop was unwilling to act is clear, from the attacks made upon him for his lukewarmness ; and from the further fact, that the Duke of Lancaster, now reconciled to the primate, took a journey to Oxford to persuade Wiclif to desist from the course of conduct which he was pursuing. Both the primate and the duke took the common view of the subject : "Such," they said, "is the dogma of the Church ; as a dutiful son of the Church, accept it : " just as they would have said, "Such is the law of the country, obey it." When Wiclif refused to act upon the duke's advice, the duke said, "Then you must take the consequences of your obstinacy." The archbishop had no option but to prosecute.

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The course pursued by Courtenay was judicious, and perfectly analogous to proceedings which have occurred in our own time. He directed, that certain conclusions from the writings of Wiclif should be transcribed and laid before him. He then, instead of deciding upon their character himself, formed a committee of learned men, and demanded of them, that they should state how far they were erroneous and how far heretical. It was affirmed and not denied that Wiclif made, and that the parties accused accepted, the following assertions :

I. That the substance of material bread and wine remains after consecration in the Sacrament of the Altar.

II. That the accidents do not remain without a subject after consecration in the same Sacrament.

III. That Christ is not in the Sacrament of the Altar identically, verily, and really, in His proper corporal person.

IV. That a bishop or priest, if he be in mortal sin, does not ordain, consecrate, nor baptize.

V. That if a man be duly contrite, all exterior confession is superfluous or useless to him.

VI. That he pertinaciously asserts that there is no foundation in the Gospel for Christ's ordaining the mass.

VII. That God ought to obey the devil.

VIII. That if the pope be a reprobate, and a wicked man, and by consequence a member of the devil, he has no power over Christ's faithful ones, granted to him by any one, unless perchance by Cæsar.

IX. That after Urban the Sixth no one is to be received for pope, but that we are to live after the manner of the Greeks under our own laws.

X. That no prelate ought to excommunicate any one, unless he first know that he is excommunicated by God.

XI. That he who thus excommunicates is thenceforth an heretic or excommunicate person.

XII. That a prelate who excommunicates a clerk who has appealed to the king and council of the kingdom, is by that act a traitor to God, the king, and kingdom.

XIII. That they who leave off to preach, or to hear the word of God or Gospel preached, because they are excommunicated by men, are excommunicates, and in the day of judgment shall be accounted traitors towards God.

XIV. To assert that it is contrary to Holy Scripture that ecclesiastical men should have temporal possessions.

XV. To assert that it is lawful for any deacon or presbyter to preach the word of God, without the authority of the apostolic see, or of a Catholic bishop, or any other, of which there is sufficient proof.

XVI. To assert that a civil lord is no lord, a bishop no bishop, a prelate no prelate, whilst he is in mortal sin.

XVII. That temporal lords may at their pleasure take away temporal goods from a church habitually delinquent, or that the people may at their pleasure correct delinquent lords.

XVIII. That tithes are pure alms, and that the parishioners are able to detain them because of the wickedness of their curates, and bestow them on others at their pleasure.

XIX. That special prayers applied to a particular person by prelates or the religious are no more profitable to that same person than general prayers are, *cæteris paribus*.

XX. That any one, by entering any private religion whatsoever, is thereby rendered the more incapable and unfit for observing the commands of God.

XXI. That holy men instituting any private religions, whether of those endowed with possessions, or of the mendicants, sinned in so doing.

XXII. That the religious living in private religions are not of the Christian religion.

XXIII. That begging friars are bound to get their living by the labour of their hands, and not by begging.

XXIV. That friars who beg after their sermons are, on that account, simoniacs, and those who confer alms on them are excommunicated, as well the givers as receivers.*

* The above is translated from the Pseudo-Knyghton, 2648. It differs slightly from the translation given in Lewis, which I did not see, or rather did not remember, before this translation was made. See also Wilkins, iii. 157, and Fascic. Zizan. 277. Canon Shirley, who has a high appreciation of the merits of Wiclif, without thinking it

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To examine these propositions, the archbishop nominated eight bishops, fourteen doctors of canon and civil law, three Dominicans, four Minorites, four Augustinians, four Carmelites, four monks, six bachelors of divinity.* There was an evident desire to have every party in the church represented, except, of course, the parties accused. To give authority to its decisions, this meeting was afterwards called a council; but it was not a council strictly speaking, which would have been open to all the suffragans.† It was rather a committee of divines, to whose decision the metropolitan, by adopting it, gave authority. The place of meeting was not therefore at St. Paul's, where it would have been, if it had been a provincial council; nor was it at Lambeth, where the archbishop was not yet settled; but in the chapter-house of the Black Friars a place was selected, either because the archbishop was lodging in the house until Lambeth should be fit for his reception; or, as is more probable, because it was a capacious apartment, very frequently lent by the owners for public meetings.‡

necessary to be unjust to others, remarks: "Whatever share old party feeling may have had in stirring Courtenay's theological zeal, no Archbishop of Canterbury, even if inclined, could safely have neglected to proceed against the author of opinions so profoundly at variance with the ecclesiastical, even more than with the theological principles of the day."—*Introd. to Fascic. Zizan. xliii.*

* The names of the persons forming the committee may be seen in *Fascic. Zizan. 286.*

† *Hody, 232.*

‡ I have given the probable reasons for the meeting of the committee in the chapter-house of the Black Friars, from the extreme unfairness in those who think it necessary, in their advocacy of Wiclif, to attribute the worst motives to his opponents; therein following the literary Bonner, the martyrologist Foxe. It is said to have been "ominous" when the meeting was summoned to the chapter-house of the Black Friars. From the time of Archbishop Kilwardby we have had frequent occasions to mention meetings in that place. Convoca-

The committee or council met on the day appointed, the 19th of May, 1382, at the friary, at the second hour in the afternoon, after dinner. Little more, than what related to preliminary arrangements, was done at the first meeting. The conclusions, as given above, were laid before the members; each was supplied with a copy, and was requested to examine the subject in private. An adjournment was then agreed upon till the 21st.

On the 21st, the members reassembled. The archbishop himself presided. They had scarcely taken their seats, when the building was shaken by an earthquake, the shock of which was felt in every part of England.* The astonished theologians whispered the word, "adjournment." The archbishop, however, with great presence of mind, said, in solemn accents and in an authoritative tone, "Brethren, the living God is arousing you to bestir yourselves in His Church's cause. By a mighty effort the earth is purging itself of noxious vapours, foreshowing that this realm must purge itself of heresy, though it will not be without struggle and commotion." †

The anecdote is worth preserving. It shows, that Courtenay, though eminent neither as a lawyer or a divine,

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tions and even a parliament had been held in this convenient place. I have thought it probable, that the archbishop was lodging there, as in Dugdale's Baronage I find that Humphrey de Bohun rebuilt the cloister of the Black Friars in 1354, and was buried there in 1361. The connection between a religious house and a benefactor was considered very close, and a descendant of the Bohuns, like the archbishop, might demand the hospitality of the monks. The matter is not of importance, but when bad motives are attributed, one likes to see what, in the midst of uncharitable conjectures, may be conjectured by charity.

* "Per totam Angliam," says our authority, Fasc. Zizan. 272.

† Wiclif had his interpretation of the earthquake. He compared it to that which took place at our Lord's crucifixion. Referring to the Court of Enquiry, he says of the members: "They put an heresy upon Christ and seynts in hevyne, wherefore the erth tremblide." This was commonplace if not profane, and certainly had not the merit of being

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possessed that presence of mind, tact, and force of character, which accounts for his being able to take the lead in public affairs. There is such a thing as the talent of character. A man possessing this talent is found to direct the energies of men, intellectually his superiors, and to gain for himself the credit of their labours. His merit may consist in forcing them to work, and in perceiving the channel in which their labours will be most successful.

The council, or rather the court of enquiry, proceeded immediately to business, and was continued by many adjournments. Nothing was done in a hurry. The members availed themselves of the privilege to add to their numbers, and met on the 12th, 14th, and 20th of June, and on the 1st of July.* There was a convocation at St. Frideswide's Church at Oxford on the 18th of November, 1382, when three of the committee, who were members of the convocation, received the abjuration of several members of the university, who were suspected of heresy. The committee was again adjourned to the Chapter-House at Blackfriars.

As the proceedings have been sometimes misrepresented, we shall present the reader with the official report, which, if not dictated by Courtenay, was drawn up under his inspection, and published by his authority.

Be it remembered that since, both among the nobility and people of the realm of England, a report has been spread

impromptu. The idea of making a mark of Divine vengeance was common. The following is from one of the political songs of the day :

“ In hoc terræmotu ab hora diei,
Quia tunc convenerant scribæ, Pharisei,
Cum summis sacerdotibus contra Christum Dei,
Vultus iræ patuit divinæ faciei.
With an O and an I, sanctos diffamarunt,
Per hæreses et schismata quæ falsa patrarunt.”

Pol. Songs, i. 254.

* Fasc. Zizan. 290.

abroad that some heretical and erroneous conclusions and determinations hostile to the Church, which aim at subverting the state of our whole Church, the province of Canterbury, and the tranquillity of the realm, are generally, commonly, and publicly preached in divers parts of our said province: we William, by divine permission, Archbishop of Canterbury, &c. having been certified on these points, and wishing to exercise the due functions of our office, convoked certain venerable brethren, our suffragans and others, as well as many Doctors and Bachelors of Sacred Theology, and of canon and civil law, whom we deem the more famous and learned in the kingdom, thinking them also very sound in the Catholic faith, whose names are contained below; and on the 17th day of the month of May, A.D. 1382, in a certain chamber within the walls of the Priory of the Preaching Brothers at London, the said conclusions, the contents of which are contained below, having been publicly proposed, and distinctly and clearly read before us, and our said brethren convoked, then personally present, we charged our said brethren, Doctors and Bachelors, by the faith in which they are held in our Lord Jesus Christ, and as they wished to make answer before the supreme Judge at the day of judgment, that they should speak with us on the said conclusions, and that each of them should declare his sentiments. At length, after deliberation had on the matters aforesaid, on the 21st day of the said month, our brethren, the Doctors and Bachelors before mentioned, met in our presence, in the said chamber, and the said conclusions being a second time read and clearly explained, in accordance with our own counsel and that of all others, it was declared, that some of the said conclusions were heretical, and some erroneous and contrary to the determination of the Church, as is below more fully apparent; and since by sufficient information we have found that the said conclusions, in many parts of our said Province, have been preached, as is premised, and that certain persons have held and taught certain of them, so as to be vehemently and notoriously suspected of heresy; we have framed the processes below written, both in general and in particular.*

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* Translated from Reg. Courtenay, fol. 25.

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The archbishop, acting with the advice of his suffragans and of certain doctors learned in the law whom he consulted, determined to convert into a public act what might otherwise have been represented as the opinion of individuals at a private meeting. He availed himself of the prevalent feeling, that the late earthquake, by which the whole nation had been alarmed, was an indication of the Divine wrath at the sins of the people;* under which category he placed the lukewarmness exhibited by the bishops when heresy was rampant in the realm. He proclaimed a solemn procession, to take place in Whitsun-week. On that day, the whole population of London was astir. High and low, rich and poor, laity and clergy, were arranged according to their condition of life, and walked, barefoot, through the city. At the gates of the precincts of St. Paul's the procession was met by the Bishop of London, the dean, and the cathedral clergy. The people then ranged themselves round Paul's Cross, and

* The feeling of the nation is thus described in one of the songs of the day :—

“ And also whon this eorthe qwok,
Was non so proud he nas agast,
And al his jolité forsok,
And thouyt on God whil that hit last.
And alsone as hit was over past,
Men wox as uvel as thei dede are
Uche mon in his herte may cast,
This was a warnyng to be ware.
For sothe this was a Lord to drede,
So sodeynly made mon agast ;
Of gold and selver thei tok non hede,
But out of ther houses ful sone thei past.
Chaumbres, chymeneyes, al to-barst,
Chirches and castelles foule gon fare ;
Pinacles, steples, to grounde hit cast ;
And al was for warnyng to be ware.”

Extract from Political Poems, i. 251,
on the earthquake of 1382.

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Dr. John Kynnyngham, or Cunningham, ascended the pulpit. He read the nine conclusions pronounced to be heretical, and the fifteen declared to be erroneous; and, in the name of the archbishop, he denounced as excommunicate all who should defend them now or hereafter.*

The archbishop followed Wiclif's example. He determined to appeal for support to the king, and to the parliament for power to render his judgment more than a *brutum fulmen* to those, by whom his excommunication would be treated with contempt. Up to this time, the Church had wielded spiritual weapons, and these only. Her excommunications had been sufficient to punish her enemies, or to arm her sons in her defence. But to Courtenay the discredit belongs of having been the first to bring in the arm of flesh, and that in not a very straightforward manner. Certainly, we cannot deny that mild measures were at first adopted—measures in accordance with those which would be now pursued; but by him the principle was first adopted of visiting spiritual offences with temporal penalties. The principle once admitted, the penalties were soon made capital. A very few years were to pass, when, as we shall see in the Life of Arundel, the civil magistrate undertook to burn a relapsed heretic. Although this was not yet the case, still we read with feelings of repugnance the first Act of Parliament † which was passed for the suppression of heresy. It runs thus :

Forasmuch as it is openly known that there be divers evil

* Pseudo-Knyghton, 2650. Cunningham was provincial of the Carmelite Order, and confessor to John of Gaunt, for which reason he was probably chosen on this occasion. He was one of Wiclif's earliest opponents. In his controversial works against Wiclif, he writes as a Christian and a scholar, whatever may be thought of his arguments.

† It is doubtful whether this can be properly called an Act of Parliament, as it was passed by the king and lords without asking the assent

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persons within the realm, going from county to county, and from town to town, in certain habits, under dissimulation of great holiness, and without the licence of the ordinaries of the places, or other sufficient authority, preaching daily, not only in churches and churchyards, but also in markets, fairs, and other open places, where a great congregation of people is, diverse sermons containing heresies and notorious errors, to the great embleamishing of the Christian faith, and destruction of the laws and of the estate of Holy Church, to the great peril of the souls of the people, and of all the realm of England, as more plainly is found, and sufficiently proved before the Reverend Father in God, the Archbishop of Canterbury, and the bishops and other prelates, masters of divinity, and doctors of canon and of civil law, and a great part of the clergy of the said realm specially assembled for this cause, which persons do also preach diverse matters of sclaunder, to engender discord and dissension betwixt diverse estates of the said realm, as well spiritual as temporal, in exciting of the people to the great peril of all the realm, which preachers cited or summoned before the ordinaries of the places, there to answer of that whereof they be impeached, will not obey to their summons and commandments, nor care not for their monitions nor censures of the Holy Church, but expressly despise them; and, moreover, by their subtil and ingenious words do draw the people to hear their sermons, and do maintain them in their errors by strong hand and by great routs: It is ordained and assented in this present parliament that the king's commissions be made and directed to the shiriffes and other ministers of our sovereign lord the king, or other sufficient persons learned; and according to the certifications of the

of the commons. The king and lords, in times past, had not thought much of the commons, except when a subsidy was required. There is no reason to suppose that any insult was now intended. But the constant parliaments in the reign of Edward III., and the incessant demands of the king for money, had made the commons aware of their own importance; and in a subsequent parliament they demanded that, on the ground of their assent not having been obtained, the statute should be declared void. This was urged no doubt by the Lollards, but it was suggested by the constitutional lawyers.

prelates thereof, to be made in the chancery from time to time, to arrest all such preachers, and also their fautors, maintainors, and abettors, and to hold them in arrest and strong prison till they will justify them according to the law and reason of Holy Church. And the king willeth and commandeth that the chancellor make such commissions at all times that he, by the prelates or any of them, shall be certified and thereof required, as is aforesaid.*

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We must do justice to the archbishop by bearing in mind the extreme difficulties by which he was surrounded. Hitherto, prelates and primates had difficulties to contend with in state affairs, but all had been smooth as to the dogmas of Christianity. False dogmas, as we now very properly regard them, had certainly, from time to time, crept in, and were, at their first appearance, opposed; but when once the Church had spoken authoritatively, the dogma was as readily accepted as a law when promulgated by the State. This was the first time that a revolutionary spirit had shown itself in matters purely spiritual—the first time that strong passions, in ignorant minds, had been appealed to on the subject. It was well for Wiclif, who, though opposed, was certainly not persecuted, that Courtenay was not himself a theologian. The *odium theologicum* did not exist in him. He had no strong views on religious questions. His duty, as he regarded it, was to keep the peace of the Church, and preserve it, internally and externally, intact, as he found it.† He felt, that he must seek support from all quarters.

* Ric. II. c. 5. Gibson's Codex, i. 399.

† The question, What is toleration?—how far men may be permitted to go without doing serious injury to society—has not yet been fully answered even in England. The question whether a man sworn to preach certain doctrines, and receiving certain emoluments for so doing, ought to be deprived of those emoluments when he preaches against what he is sworn to uphold, is another and a very dif-

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He scarcely knew upon whom he could rely. All the discontented spirits—and they abounded in the land, whether they agreed with them or not in point of doctrine—were willing to take part with the Wiclifites in their resistance to constituted authority. In their hatred of the mendicants, a large portion of the secular clergy was unwilling to renounce the leadership of such a man as Wiclif, against their common enemy; or to suppose that the charge of heresy was anything more than the ruse of a party.

➤ The archbishop did not attempt to disturb Wiclif in his living of Lutterworth. There he might remain, if he would only be quiet. All he did in this respect, was to address a letter to his suffragans, through the Bishop of London, warning them, and especially the Bishop of Lincoln, in whose diocese Lutterworth was situated, that the heresies above mentioned were propounded, and calling upon them “to warn and admonish, that no man from henceforth, of what estate or condition whatsoever, do hold, preach, or defend the foresaid heresies and errors or any of them, under pain of the greater excommunication.”*

He was compelled to take stronger and more decided measures against the University of Oxford. Here there were many who not only held but who zealously propagated the principles of Wiclif; and pushed them sometimes to an extreme which astonished the great doctor himself.

ferent question. It was not the question brought before Courtenay. In Roman Catholic countries at the present time toleration is unknown. Take for example Italy and Spain. To obtain English gold, the English are permitted to have a chapel, under degrading circumstances, at Rome, but it would be at peril of his life that an Italian would attend the service. So also in Spain. It is with this party that Courtenay and Arundel should be compared, if we would do them justice.

* Pseudo-Knyghton, col. 2651.

Wiclif was surprised to find, that certain conclusions were logically deducible from the premisses which he had zealously established and fearlessly asserted. His attempt to explain them in an inoffensive sense, laid him open, sometimes, to a charge of inconsistency. In addition to these, there were many, who cared little for his opinions, but who were prepared to protect his person and maintain his cause. Wiclif had fought the cause of the university against the mendicants, their diocesan, and the pope; and Oxford men felt under an obligation to him. How far the last-mentioned class would stand by Wiclif, now that he was declared heretical, remained to be seen. Although Courtenay at length succeeded, yet in the measures he adopted in dealing with the Oxford men, he did not show the sound judgment we should have expected from a man of his worldly tact and wisdom; and who, withal, possessed so much experience, as a former governor of the university.

The two leading persons at the university, at this time, were not men of earnest minds, and Courtenay evidently knew their character. He felt that they must be terrified into doing what he thought to be right. They were men who had fought Wiclif's battles, so long as they could do so without danger to themselves. After a small show of resistance, when they found the archbishop to be a man with whom it was not safe to trifle, they yielded. Dr. Ruge was chancellor, and declared himself a Wiclifite. He was supported by Dr. Nicolas Herford and by Philip Repyngdon, who had just taken his degree as a doctor of divinity. They were backed by a faction—for so we may designate a party, which distinguishes itself by its dress. They went barefooted, arrayed in a russet or grey gown reaching to the ankles.

Such was the state of the university, when the archbishop thought it necessary to interpose. He selected as

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his commissioner Dr. Peter Stokes. Why Peter Stokes was chosen, it is difficult to surmise ; unless, as is probable, the primate was aware that no one else holding a high position in the university would have accepted the commission, or, at all events, have executed it with cordiality and zeal. Dr. Stokes was certainly a man of eminence, being professor of theology in the house of the Carmelites. But the fact of his being a Carmelite, marked him for a party man ; and from that very circumstance, challenged opposition.

In the commission directed by the archbishop to Stokes, he states that he had heard that some “sons of eternal perdition,” in defiance of church authority, and under the cover of great sanctity, were not afraid to assert, dogmatise, and publicly to preach, as well in the churches as in the streets, and other profane places, some propositions, which had been condemned by the Church as heretical, erroneous, and false. He then alluded to those propositions which, acting by the advice and assent of very many of his brethren and suffragans, in conjunction with a great many doctors of divinity, and professors of canon and civil law, and others of the clergy, he had himself declared to be repugnant to the determinations of the Church. He therefore commissioned and commanded Dr. Stokes, enjoining him, by that obedience which he owed to him, the archbishop, publicly to admonish and inhibit—that no one for the future, of whatever state or condition, do hold, preach, or defend the heresies or errors aforesaid, or any of them, in the University of Oxford, in the schools or out of them, publicly or privately, or do hear or hearken unto, or favour or adhere to, publicly or privately, any one who preaches these heresies or errors, or any of them, but do fly from them as from a serpent sending forth pestilential poison, and avoid them on pain

of the greater excommunication, which, by these writings, he did decree against all and singular those who, on this occasion, showed themselves rebels, and did not obey his admonitions. This letter or commission is dated at the archbishop's manor of Otford, the 28th day of the month of May, A.D. 1382, and the first year of his translation.*

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The archbishop received information from Dr. Stokes, that when he exhibited the archiepiscopal mandate to the chancellor, together with a letter to Dr. Rugge himself, desiring that he would render every assistance in his power to the archiepiscopal commissioner, the answer which that commissioner received was, that the whole proceeding was a direct attack upon the rights, liberties, and immunities of the university. The chancellor affirmed that no bishop, not the metropolitan himself, even in a case of heresy, had any authority or jurisdiction within the University of Oxford. This was much the same line of conduct as that which had been pursued by Courtenay himself when chancellor.

Upon consultation with the proctors and other leading men of the university, Dr. Rugge, however, was induced to withhold the protest he had drawn up against the aggression of the metropolitan. They were aware, that a specific charge of heresy had been established against Wiclif; there was a strong party against him in the country; and the archbishop had given them to understand, that the king was about to support him, in a letter to the university against Wiclif; while measures were, at the same time, in deliberation for obtaining an Act of Parliament which might seriously affect their rights. It was therefore considered inexpedient to raise the abstract question of right.

* Fascic. Zizan. 275.

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When the opposition was, for these and other reasons, withdrawn, Dr. Stokes was directed by the primate to proceed; but his opponents knew the man, and they played upon his fears. They acted, indeed, as we should now say, "like a parcel of schoolboys." The chancellor, to terrify the unfortunate Stokes, paraded the streets with his attendants, whether called "bulldogs" or not, in complete armour. They talked loud that, if they could not compel the Carmelite to leave the town, they, at least, might slay him. Inflammatory sermons were preached. Some of the sermons went so far as to justify the late insurrection, and to threaten with death all who should oppose Dr. Wiclif and his followers.

When this was notified to the archbishop, he signified to the reluctant Stokes, that the condemnation of the heretical propositions must be published on or before a certain fixed day. Until the sentence was published, no one could be censured for holding or for defending the condemned propositions.

The authorities of the university were prepared to give audience, at the appointed time, to the archbishop's commissary. The cemetery of St. Frideswyde was the place of assembly. A sermon, however, was first to be preached. The chancellor nominated the newly-made doctor, Dr. Repyngdon,* to preach on the occasion. His sermon was so violent that, judging from the character of the man, and taking into consideration what afterwards occurred, we have no doubt that the intention was to alarm Dr. Stokes. The sermon was received with such applause as showed that the preacher carried his hearers with him. But it was not by words only that the timid Carmelite was to be terrified. As the students shouted and raised their hands, the clank of armour was heard. Dr. Stokes looked

* He was afterwards a violent opponent of the Lollards.

down, and saw the armour scarcely concealed beneath their gowns. He trembled; and no publication that day took place. He afterwards told the archbishop, that as he left the church he saw the greeting which passed between the chancellor and Dr. Repyngdon. They were smiling at the success of what was regarded, by the Wiclifites, as a good joke.*

Still the chancellor kept up the appearance of deference to the archbishop; and it was proposed that Repyngdon and Stokes should dispute publicly in the schools. On the day on which Dr. Repyngdon declaimed all was decency and order, and poor Stokes took courage. But when Dr. Stokes was preparing to defend the existing order of things, he looked up and saw arrayed before him twelve men in armour. The armour was covered with a gown, but, as on a former occasion, it was not intended to be concealed. Dr. Stokes expected to be killed before he left the chair, and fled from the school with a precipitation which created much merriment among his opponents, who intended that "their bark should be worse than their bite."

The archbishop saw through the whole manœuvre, and, delivering Stokes from his persecutors, summoned him immediately to Lambeth, whither the archbishop had moved from Otford. Stokes stole out of the university unperceived, and, travelling post-haste, he reached Lambeth that very night.

When Dr. Ruggle found that Stokes had fled to the archbishop, he began to think that matters were becoming serious. It had been amusing enough to defend the rights of the university by playing on the fears of Dr. Stokes, to whose mismanagement he might hereafter attribute any disturbances that might occur. But now he felt

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* Fasc. Zizan. 300.

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that he must make the best of the case to the archbishop himself, and he hastened to Lambeth, hoping, in a personal interview, to effect a compromise.

The archbishop, in the meantime, had received Dr. Stokes with great kindness, and had heard his story. He refused to grant a private audience to Dr. Rugge, but summoned a council, before which the chancellor was required to appear. On the 12th of June, Dr. Rugge arrived again at Lambeth, attended by Thomas Brightwell. Evidence was produced to prove, that the chancellor and the proctors had shown favour to the Wiclifites; and on this point, there was nothing to be said in their defence. The fact was indisputable, and admitted. The chancellor was condemned for contempt, in having refused to give effect to the mandate of the archbishop. He asked pardon on his knees.* The good Bishop of Winchester, William of Wykeham, interceded for him. The archbishop pardoned him, and gave him another mandate.

The mandate required the chancellor not to molest any of the clergy, regular or secular, who had aided, or should hereafter aid, in promulgating the condemnation of the conclusions; and it further enjoined him not to permit anyone henceforth to preach, teach, or hold the condemned doctrines in the university, on pain of the greater condemnation. To these requirements Dr. Rugge assented. But when another mandate was delivered to him, which required him not only to publish the condemnation of the conclusions, but also to search the colleges and halls for suspected persons, Rugge remarked, that this mandate

* "Humiliter veniam petiit ab archiepiscopo genibus flexis." Fasc. Zizan. 308. The whole thing seems to have been prearranged. The chancellor was willing to submit, and the archbishop to pardon, but all the forms were to be observed. It was easy to see that Dr. Rugge, though he used the Lollards for party purposes, did not himself care for the opinions of Wiclif.

he could only execute at peril of his life. "Then," said the archbishop, "you admit that the university is a fosterer of heresy, and opposed to catholic truth"—a significant observation, coming from a man of the archbishop's determination of character.

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Rugge was a weak man. When he repeated what had taken place at Lambeth, the excitement in the university was great; and his conduct was severely censured by his party, with whom, nevertheless, he determined still to act. What he had pledged himself to do, was to protect those who proclaimed the condemnation of the conclusions, and also to proclaim that condemnation himself. But he informed his adherents, that this was not a censure of the whole Wiclifite party; it was only a condemnation of some of the tenets which they held. He did not hesitate, therefore, in order to regain the favour of his friends, to suspend one Henry Crumpe, for calling the Wiclifites heretics.

The archbishop soon gave proof, that although he had treated Dr. Rugge with leniency, he was, nevertheless, thoroughly in earnest. The archiepiscopal jurisdiction was disputed in Oxford; the archbishop, therefore, once more applied for the royal authority to strengthen his hands. So great had been the alarm which the new doctrines had occasioned—connected as they now were, in most men's minds, however unjustly, with the late insurrection—that Courtenay found no difficulty in obtaining a royal brief, under the great seal, commanding a compliance with his previous injunctions. In this brief, the king warned the chancellor and proctors of the university, that Henry Crumpe had lodged a complaint against them, for having unlawfully suspended him; that the case having been examined by a committee of the Privy Council at Westminster, the king, on the report of the committee of council, ordered the resignation of the

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chancellor. The king also charged them, on their allegiance, not to molest the said Henry Crumpe, or Peter Stokes, or Stephen Patrington, for what they had done against Wiclif's doctrine; and he required them to assist in the search to be made for the preachers of heresy and the favourers of heretics.

The university did not resist this flagrant invasion of their rights. Party feeling ran high; but the leading Wiclifites were not willing, by carrying their spirit of insubordination farther, to give colour to the report, which their enemies industriously circulated, that they were concerned in the late insurrection. The university might resist the archbishop, and have the support of a large portion of the community; but no class would, at this time, have tolerated their resistance to the king. Even the rebels had professed to pay deference to the royal authority. The wholesale executions of the insurrectionists throughout the country created alarm in all, except those who had accepted the new doctrines not merely as a party-cry, but as an article of faith. A reaction took place. Herford and Repyngdon* were suspended by the university. They appealed to the Duke of Lancaster. But John of Gaunt had no longer a political object in favouring the Wiclifites; and perhaps was really alarmed when he became acquainted with the freedom of their opinions, and the extent of their opposition to the established doctrines of the Church. He had

* The minds of men were unsettled; and men not thoroughly in earnest took up for party purposes, and maintained for a time, opinions and principles which they afterwards repudiated. We have an instance of this in the parties now engaged in controversy. Henry Crumpe, who accused the Lollards of heresy, was himself condemned as a heretic in a council held by the archbishop at Stamford in 1392. Repyngdon afterwards opposed the Wiclifites as strongly as he at one time supported them, and was consecrated Bishop of Lincoln by Archbishop Arundel.

endeavoured to persuade his friend Wiclif to retract, and when he failed in this he became an opponent of the party.

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Repyngdon and Herford, suspended by the university, had now to humiliate themselves by applying for redress to the very power they had resisted. They appealed to the archbishop. Courtenay acted now as he had done before. He appointed them a hearing at the Church of the Black Friars, and allowed them sufficient time to prepare their case. He then nominated a court of enquiry, to consist of ten bishops, thirty doctors of divinity, sixteen doctors of law, thirteen bachelors of divinity, and some bachelors of canon and civil law. The answers of the accused were examined, and pronounced to be heretical. Other persons were now delated before the archbishop, but all who were accused recanted; and the Wiclifite party in the University at Oxford received a blow, from which it never recovered.

At the convocation held in Oxford in 1382, at which the archbishop presided, Wiclif condescended to explain his opinions on the subject of the Eucharist, and on other matters with reference to which his tenets were regarded as heretical. His explanations were by his contemporaries regarded as a recantation.* Such they may not have actually been; but certainly they were

* The modern biographers of Wiclif are diligent in attempting to prove that he was not guilty of any inconsistency, and that he did not recant. It is sufficient for us to know that he certainly explained himself so as to render it possible for the archbishop and the other prelates, who did not wish to deal harshly with him, to permit him to depart in peace. Pseudo-Knyghton says: "Similiter affuit magister Johannes Wiclif ad respondendum super hæretica pravitate, ut prius de prædictis conclusionibus sive opinionibus. Qui eis omnino renunciâs nec eas tenuisse nec tenere se velle protestans ad maternalis virgæ documentum, quod ei antea pro refugio præsto fuerat, advolavit iterum sub forma quæ sequitur."—X Scriptores, col. 2649.

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of such a character as to render it possible for the archbishop and his assessors to permit him, without further molestation, to enjoy the remainder of his life at peace in his parsonage of Lutterworth; and Wiclif himself gave his judges no further cause of complaint. Their sentence was, "Go and sin no more." Wiclif's death took place in the December of 1384. On the 29th of that month, when he was assisting at mass, and just as the sacrament was elevated, he was mortally seized with paralysis, and died two days afterwards.

The reader will bear in mind that the object in this section is to bring under one point of view the proceedings of Courtenay against Wiclif and his followers. We shall presently see how actively he was employed during the next two or three years. But we hear little of him in connection with the Wiclifites until we come to the year 1388. In this year, immediately after the second coronation of Richard II., at which the archbishop himself officiated, the two houses of parliament addressed the throne, complaining of the spread of Lollardism, and reminding the king of the dangers which would accrue to the kingdom if effective measures were not taken to repress the evil.* The king, in consequence, addressed a remonstrance to the archbishops and their suffragans, calling upon them to act with greater vigilance and vigour, and to put the canons of the Church into execution. He went further. He constituted, by his letters-patent, two inquisitors—Mr. Thomas Brightwell, D.D., Dean of Leicester, and William Chesulden, prebendary of the same collegiate church—to peruse the Lollards' books, and to make enquiry for those who abetted false doctrine. "You are," he said—

* Pseudo-Knyghton, col. 2708. The writer complains that this commission was not vigorously acted upon. "The time for discipline," he says, "has not yet arrived."

To make proclamation, strictly requiring, in our name, that no person, of what degree, condition, or quality soever, under the penalty of being imprisoned, and forfeiting whatever they are liable to forfeit, do presume to maintain, teach, or obstinately defend, publicly or privately, any of these wicked and scandalous opinions, or to keep, transcribe, to buy or sell, any such books, treatises, and libels in any manner whatsoever; but to deliver without delay all and every such books in their custody to you upon their being thereunto required. And all those who shall be found not to submit to our proclamation, and continue to maintain their wicked opinions, notwithstanding our prohibition, our will and pleasure is, that they be summoned by you, Thomas and William above mentioned, and diligently examined by you; and being convicted upon any of the articles above mentioned, they are to be committed by our ministers of justice to the next gaol, there to be detained till such time as they shall either renounce their heresies, errors, and unsound opinions, or that we shall think fit to resolve otherwise, and send an order for their discharge; and, therefore, we command you to use your utmost diligence concerning the premises, and execute our orders in the manner and form above mentioned. And we likewise strictly command all and singular ecclesiastics, high sheriffs, mayors, bailiffs, and others, our ministers and liege subjects, as well within liberties as without, to aid and assist you, and every of you, in the performance of the premises. In witness we have caused our letters to be made patent. Witness ourselves at Westminster, the three-and-twentieth day of May, and the eleventh year of our reign.

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In 1389 an action was brought into the archbishop's court, when he was holding his visitation at Leicester, against Roger Dexter, Nicolas Taylor, and some other persons, whose names were given in the indictment. They were accused of heresy. The archbishop summoned them, to meet the charge, the next day. The parties accused absconded. For contempt of court they were, of course, excommunicated; and the excommunication was pronounced, on Allhallows Day, the 1st of November,

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in the usual form. The Lollards being numerous in Leicester, the archbishop determined to make the ceremony as solemn and impressive as possible. He also laid the town under an interdict; that is, he prohibited the performance of the sacred rites of the Church, so long as the persons excommunicated should remain in concealment. This measure was so effective, that several of the parties excommunicated abjured their heresies, if such they were, and were reconciled to the Church. Among these were William Smith, Roger Dexter, and Alice his wife. The penance which the archbishop imposed was by no means severe, as the following letter will show. His object was to make such an example, as would restrain people from breaking the law, but to deal as leniently as possible with the offenders themselves:—

Seeing our holy mother the Church closeth not her bosom to any penitent child returning to the unity of her, but readily openeth to them the same, we therefore received again the said William, Roger, and Alice to grace, and caused them to abjure all and singular the aforesaid articles and opinions, and then granted unto them the benefit of absolution, and loosed them from the sentence of excommunication, wherein they were involved, on their faithfully requesting it, enjoining unto them penance according to their crime in form following,—that is to say, that on the Sunday next after their return to their own place, they holding in their right hands, William an image of St. Catherine, and Roger and Alice each a crucifix: they, William and Roger, in their shirts and breeches, and Alice in her undergarment only, with bare head and feet, do walk before the procession of the collegiate church of St. Mary in the Newarkes at Leicester; and thrice, that is to say, in the beginning of the procession, in the middle of the procession, and at the end of the procession, to the honour of Him that was crucified, in memorial of His passion, and to the honour of the aforesaid Virgin, devoutly bowing their knees and kneeling, shall kiss the said images so held in their hands; and so with the same pro-

cession, they entering again into the church, shall stand during all the time of the holy mass before the image of the cross, with the tapers and crosses in their hands; and when the mass is ended, the said William, Roger, and Alice shall offer to him that celebrated that day the mass. Then, upon the Saturday next ensuing, the said William, Roger, and Alice shall, in the full and public market within the town of Leicester, stand in like manner in their shirts, without any more clothes upon their bodies, holding the aforesaid images in their right hands, which images three times they shall devoutly kiss, reverently kneeling upon their knees—that is, at the entrance, in the middle, and at the end of the market-place. And the said William, for that he is somewhat more learned, shall repeat an Antiphone with the Collect of St. Catherine; and the aforesaid Roger and Alice, being unlearned, shall say devoutly a Pater Noster and an Ave Maria. And thirdly, the Sunday next immediately after the same, the said William, Roger, and Alice, in their parish church of the said town of Leicester, shall stand and do as upon the Sunday before they stood and did in the collegiate church of St. Mary Newarks aforesaid in all things; which done, the aforesaid William, Roger, and Alice, after mass, shall offer to the priest or chaplain that celebrated the same, with all humility and reverence, the wax tapers which they shall carry in their hands. And because of the cold weather that now is, lest the aforesaid penitents might peradventure take some bodily hurt standing so long naked, being mindful to moderate partly the said our rigour, we give leave that after their entrance into the churches above mentioned, while they shall be hearing the masses aforesaid, they may put on necessary garments to keep them from cold, so that their heads and feet, notwithstanding, be bare and uncovered. We, therefore, will and command you, together and apart, that you declare the said William, Roger, and Alice to be absolved and restored again to the unity of our holy mother the Church, and that you call them forth to do penance in form and manner aforesaid. Given at Dorchester the seventeenth day of November, in the year of our Lord God 1389, and in the ninth of our translation.*

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* Ex. Reg. Courtenay, fol. 144; and Wilkins, iii. 211. Even Foxe admits that he could find no one put to death for his religion during

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Courtenay was, both by natural temperament and by education, unable to understand the position of Wiclif and his followers. His notion of man's duty was that he should obey the laws, and accept, even if he could not believe, whatever the Church asserted as a dogma. If laws were bad, the State must change them; if dogma was to be amplified, explained, or annulled, the Church was to do it. If a man acted thus, he would live unmolested in this world, and he would be secure of the life to come. But while striving to live thus he would often fail, therefore he would have to submit to certain penalties for disobeying the law of the land—to certain penances for transgressing the principles of virtue, or the regulations which, for the promotion of virtue, the Church imposed. He who taught otherwise must be restrained as a disturber of the peace, and punished as a felon in the sight of God and of man. Mild measures should be first adopted; if these failed, severer punishment must be inflicted. The violator of the king's peace, or of the peace of the Church, was, for the sake of all, to be dealt with in such manner as to prevent him from offending again, and to avert the evil precedent which his impiety might present to the world.

We may think Courtenay to have been in error, and we may regard his position as untenable; but that position

Courtenay's episcopate. But with his usual intolerance he assumes that the archbishop panted to shed blood, and was only prevented by the extreme amiability of King Richard II., who had not only permitted thousands of innocent persons to whom he had sworn protection to be put to a cruel death, but in 1394 threatened to put Sir Richard Stury, who had served him and his grandfather for many years, to death, if he did not renounce the opinions of Wiclif: "*De Ricardo Stury accepit juramentum quod de cætero opiniones hujusmodi non teneret. Quo facto, dixit rex, Et ego juro tibi, si tu unquam violaveris juramentum, morte turpissima morieris.*" Walsingham, ii. 215.

is perfectly intelligible. He was a practical man, and saw clearly that the Wiclifites had grounds of complaint in relation to the maladministration of the Church; and in the administration of ecclesiastical affairs he desired to introduce reforms. He was not himself, as so many of his predecessors had been, a lawyer and statesman making things spiritual not the first but only a secondary consideration; but he, in his maturer years, devoted to the duties of his sacred office those energies which in early life, with all the prejudices of an aristocrat, he had given to party.

II. We have alluded to an occurrence which took place during his visitation at Leicester. To the visitation itself the reader's attention will now be directed. Courtenay's object was to correct those abuses which had arisen in the Church from the frequent non-residence, or only occasional residence, of diocesans versed in affairs of state. His provincial visitation commenced in 1382; and he gave notice that he should hold a visitation of the different dioceses of his province as time and opportunity might render it convenient. A provincial visitation was always unpopular. The suffragans were unwilling to have their jurisdictions suspended; the superior ordinaries were inhibited; the proceedings of the ecclesiastical courts were interrupted; and the laity as well as the clergy complained of the prosecutions. The minute investigations which took place at such times were not unfrequently the cause of much annoyance. For an example of the minuteness of the regulations on these occasions, we may refer to what transpired when Archbishop Courtenay was holding a visitation of the Convent of St. Augustine, in Bristol, although, in this instance, the archbishop's decision afforded relief to the complainants. The visitor found fault with the manner in which the canons appeared before him.

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They, in their turn, complained that, their habit being white, it was scarcely possible to keep their clothes clean. They were continually soiled by the dirt and grease of the black leather boots, which they were also obliged to wear by the rule of their establishment. The archbishop took their case into consideration, and, in a licence from Mayfield, granted them a dispensation to use, within the precincts of the monastery, stockings and hose of cloth, of a black or brown colour, so that the price did not exceed twentypence per yard. When they went abroad, they had to appear in boots.*

The archbishop met most opposition from the Bishops of Salisbury † and Exeter. ‡ The Bishop of Exeter issued

* Notices of Mayfield Palace, by Mr. Hoare, *Sussex Archæological Coll.* II. 229. In the visitation of Selborne Priory, Hants, by William of Wykeham in 1387, the canons incurred a severe reprimand for wearing coloured stockings without permission. (*White's Selborne.*) I give this as I find it. The habit of the Austin Canons was a black cassock, white rochet, and black stockings. Hence they were called Black Canons. These may have been under an exceptional rule.

† Ralph Erghum. Little is known of this prelate. He occurs, without date but previously to 1375, as prebendary of X *librarum*, in the cathedral of Lincoln. He was also Archdeacon of Dorset, and Chancellor of Lancaster. He was consecrated at Bruges to the Bishopric of Sarum. He was translated to Bath in 1388, and died on the 10th of April, 1400.—*Walsingham. Reg. Erghum, MSS. Wharton.*

‡ Thomas Brantingham was a native of Exeter, and at an early period of life was appointed canon of the cathedral. He was educated in the court of Edward III. and Queen Philippa. In 1370 he was Keeper of the Wardrobe, and filled a variety of secular offices; and at the time of his election to the bishopric of Exeter, he was Lord High Treasurer of England. He was consecrated at Stepney on the 12th of May, 1370. Although distinguished chiefly as a statesman, towards the close of his life he attended to his episcopal duties. He added the ornamented western façade to his cathedral, and substituted a new for an old cloister. For the convenience of the priests and vicars, he provided them with a common hall and kitchen, with suitable chambers and offices. He died December 23, 1394. (*Oliver. Reg. Brantingham,*

his mandate, forbidding all persons in his diocese, under pain of excommunication, to acknowledge the archbishop's jurisdiction. Courtenay issued a mandate in opposition thereto, requiring submission to his authority. The bishop appealed to the pope, and affixed his appeal to the gates of his cathedral. The archbishop, notwithstanding, proceeded in his visitation, and cited the bishop to appear before him and answer to certain articles exhibited against him. The citation was despatched by one of the archbishop's officers, named Peter Hill, who, being met by some of the Bishop of Exeter's servants in the town of Topsham, they, discovering his business, not only beat him most unmercifully, but obliged the poor fellow to chew and swallow the instrument, which was of parchment, wax and all. The king, being informed of this violence, sent an order to the Earl of Devonshire and others to apprehend the bishop's servants, and bring them before the archbishop; which being done, Courtenay enjoined them the following penance:—They were to walk in procession before the cross, in their shirts only, and carrying lighted tapers in their hands; to pay a certain stipend to a priest for saying daily mass at the tomb of the Earl of Devonshire; and, lastly, to pay twenty shillings each towards repairing the walls of the city of Exeter. The bishop, in the meantime, prosecuted his appeal in the Court of Rome; but finding the archbishop's credit prevail there, and that the king likewise espoused his cause, he thought it the most prudent course to withdraw his appeal, and to acknowledge both his own offence and the archbishop's jurisdiction.

The Bishop of Salisbury, when it came to his turn to be

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MSS. Wharton.) From the penance enjoined by the archbishop on the bishop's servant, we may infer that the opposition of Brantingham to Courtenay originated in county politics.

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visited, made no less resistance, but proceeded, as he thought, with more prudence and caution than the Bishop of Exeter. He found means, by the payment of certain heavy fees, to procure from Pope Boniface an exemption of himself and his diocese from metropolitanical visitation. With this privilege of exemption he waited upon the archbishop at Croydon, but met with an unexpected reception from that prelate. The primate declared that the diocese of Salisbury he should visit, any papal exemption notwithstanding; he commanded the bishop to be ready to receive him, on a certain day, in his cathedral church. The bishop, depending on his privilege, took no notice of this order; and when the archbishop began his visitation, he appealed to the pope. The archbishop immediately excommunicated him, and commenced a prosecution-at-law against him, for endeavouring to withdraw himself from the subjection he owed to the see of Canterbury. The Bishop of Salisbury, terrified by this severity and the recent example of his brother of Exeter, renounced his appeal, acknowledged the archbishop's jurisdiction, and, through the intercession of the Earl of Salisbury and others, obtained absolution and reconciliation.

The opposition to the archbishop may be attributed in part to an unconstitutional act of which he had been guilty, though with a good intention. We have mentioned the annoyances caused by procurations, with reference to which many canonical regulations were made. Courtenay thought it desirable to have a fixed payment, and applied to the pope for permission to levy a rate upon all ecclesiastical benefices of fourpence in the pound, to defray the expenses of the visitation. This application to the pope was in direct violation of an Act of Parliament; but as the clergy only were concerned in this affair, and as the money did not go out of the country, the government did not interfere. The unconstitutional conduct of the arch-

bishop, however, might be used as a pretext, by those who were disposed to oppose him on the ground of an old dispensation, of which we have heard before. The Bishop of Lincoln did indeed appeal to the pope, but the primate had taken care to make his ground good in that quarter. We still possess the letter he wrote to Pope Urban, in 1384. In this letter he complains that several of his suffragans, and the Bishop of Exeter in particular, in violation of their oath of canonical obedience, had resisted and oppugned the right of their metropolitan to visit their respective dioceses; and that they pleaded papal exemptions, which did not, of course, exist; for that to the diocese of Lincoln had been recalled as having been illegal from the beginning. He entreated the pope not to interfere with the rights of the church of Canterbury, or to interpose between a metropolitan and his suffragans. Being well aware, however, of the weak side of the apostolic see, he took care that his letter should be transmitted in a box full of florins.*

He not only carried his point against the Bishop of Exeter,† but he so established his authority at Rome, that he obtained a bull from the pope, in 1386, permitting him to present to all benefices which, owing to their having remained unfilled for a considerable time, had lapsed to the pope.

In 1391 the archbishop published his constitution against *choppe-churches*. From this I shall present the reader with an extract, because it was evidently composed by Courtenay himself; and it is desirable to show, that although Courtenay did not go, like Wiclif, to the root of the evil, he was equally desirous of correcting abuses. When doing so he was evidently under the influence of religious principles. The document appears in the form of a

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* Ex. Reg. Courtenay, fol. 112.

† Ibid. fol. 113.

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mandatory addressed by the archbishop to his suffragans, in the usual way, through the Bishop of London. "Some men's minds," he remarks,

are so darkened and smitten with outward things as never to look inward to themselves, or to Him that is invisible, while they are puffed up with temporal honours, still desiring more; slighting the ways of God. Some traffic with the gifts of the Holy Spirit, while they pay or make private simoniacal contracts for churches and ecclesiastical benefices, forgetting the words of Peter to Simon, "Thy money perish with thee, because," &c. Others of these tare-sowers, perverters of right, inventors of mischief, commonly called choppe-churches, defraud some by an unequal change of benefices through their wicked intriguing and execrable thirst of gain, and sometimes wholly deprive others of the benefices they have through false colours; inso-much that, being reduced from an opulent to a poor condition, and not being able to dig, they die of grief, or else are compelled to beg through extreme poverty, to the scandal of the Church and clergy. Others, though "they who serve at the altar should live by the altar," &c., according to the Apostle, procure persons to be presented to churches with cure and ecclesiastical benefices by importunity and money, and to be instituted therein, after having first wickedly sworn that so long as they have those benefices they will claim no profits from them, nor any way dispose of them, but leave them to their direction and profit (who procured them) under pretence of an exchange, or purely at their request. By which means (whereas one church ought to belong to one priest, and no one ought to have several dignities or parish churches) one man, insufficient for one cure, though a small one, sweeps to himself by a trick the profits of many benefices, which, if equally distributed, would abundantly suffice for many learned and very reputable men who very much want it. Divine worship and hospitality is neglected; the indevotion of the people toward the church, and them who belong to it, is increased, and the cure of souls is not minded. Such carnal men despise spiritual precepts, and affect temporal riches in contempt of eternal rewards. But it were to be wished that, for their own amend-

ment, they would be afraid of punishment, by considering how the Redeemer of mankind cast the chapmen out of the temple, saying, "Make not My Father's house a house of merchandise." Our Lord never dealt so severely with any offenders, to demonstrate that other sinners ought to be reprehended, but these to be driven far from the Church. Farther, some raptors rather than rectors of churches, shepherds who know not and take no care of their flocks, provoke the divine indignation, neglecting hospitality without cause, shamefully spend their time at London, devouring Christ's patrimony, living daintily on the bread of the hungry, clothing themselves with the garments of the naked, and with the ransom of captives; they dare not say with the prophet, "The Lord is the portion of mine inheritance;" but rather, "We desire not the knowledge of Thy ways." Whereas, therefore, the cure of souls is our chief concern, of which we are to give a strict account, and resolving not any longer to connive at so great a scandal of the clergy of the Church of England, and so perilous and pernicious an example, at the importunate request of many, we give it in charge, and command you, my brother, in virtue of obedience, and do will and command that the rest of my suffragans and fellow-bishops of our province of Canterbury be enjoined by you to take corporal oaths of all whatsoever that are to be presented to ecclesiastical benefices, now or hereafter to be void within your dioceses, that they have not given, or promised anything, directly or indirectly, by themselves, or by any employed by them, for the presentation to the presentor or any other persons whatsoever; and that neither they nor their friends are obliged by oath, or any pecuniary security, to resign or make exchange of the benefices; and that no unlawful compact hath been made in this respect, nor promise, with their will and knowledge; and that in case of exchange, no proxies, though signed by notaries, be allowed without the presence of the principals, and a provident examination of the equality as to the value of the benefices, and an oath given by each party that no fraud, private or public, is used in the exchange; and that the non-residents in your dioceses be effectually called home to do their duty; and the simoniacal possessors, or rather usurpers of churches, be severely censured; and that the accursed partakers

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with Gehazi and Simon, the “ choppe-churches,” who chiefly are at London, be in general admonished to desist from such procurings, changings, and trickings made in their conventicles and simoniacal assemblies for the future; and let them quash and cancel all contracts and bargains fraudulently made, though confirmed with oaths, which in this case are null; and let all such frauds and simoniacal contracts, which are not in their power to break, be discovered to the bishop of the dioceses in which such benefices as are concerned in the transaction do lie, that they, by whose procurement or consent these contracts were made, may be enjoined penance according to their merits under pain of the greater excommunication after fifteen days’ notice (five days being allowed after each of the three usual admonitions), which we pass upon them by this writing from this time forward, as well as from that time forward. And do ye strictly enjoin, and cause other bishops to be so enjoined, that these wicked merchants of the Lord’s inheritance, and such as have several dignities, churches, and “ choppe-churches,” be struck with the sword of ecclesiastical censure, especially such of them as are in orders, as being universally abhorred by all, lest by the neglect of you and other bishops this clamour be again repeated in our ears. And do ye cause us to be certified of what you have done in the premises before the feast of St. Michael the Archangel next ensuing, by your letters-patent, containing a copy of these presents. Dated in our manor of Slyndon, on the fifth day of March in the year of our Lord 1391, and of our translation the eleventh.*

The schism in the Roman Church still continued. There were still two popes. As we have before had occasion to state, Urban VI. was acknowledged as pope by England and the greater part of the Empire; Clement VII. was the pope of France, Spain, Scotland, Sicily, and Cyprus. Urban had disappointed the high expectations entertained by many at his election; and, under great provocation doubtless, became tyrannical

* Spelman, ii. 641. Wilkins, iii. 215.

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and cruel. His cardinals, acting under the advice of a celebrated casuist, Bartolomeo di Piacenza, resolved to seize his person, and to consign the papal government to certain commissioners to be selected from their own body: a proceeding analogous to that which was adopted in England with reference to Edward II. and Richard II. But it was found, in all these cases, that the sovereign was too powerful for a commission, and that nothing less than his deposition would suffice. The cardinals, therefore, determined to seize the person of Urban, and, according to Gobelinus, to try the pope for heresy and to deliver him to the flames.*

But Urban discovered the conspiracy. Six of the cardinals he seized, and having subjected them to the torture, he dragged them as his prisoners, when he fled from Nocera to Genoa, where with one exception they were never heard of more. The exception was made in favour of Adam Eston, an English cardinal, in whose behalf the King of England interposed,—an interposition which, in the then state of his affairs, the pope did not venture to resist. Of the others, whether they were strangled or thrown into the sea in sacks, will not be known till the day of judgment. These things occurred at the end of the year 1386. We can easily understand how the report of the proceedings when brought to England strengthened the anti-papal party, and influenced Courtenay himself.

Urban died in 1389. Instead of seeking at once, however, to terminate the schism by coming to terms with Pope Clement VII., the cardinals at Rome proceeded to elect as their pope Peter Tomacelli, a young man of Naples. He

* Döllinger, 137. Theoderic of Niem denies the conspiracy of the cardinals, who, with one exception, he asserts, even under the agony of torture, refused to criminate themselves. If this be true, the cruelty of Urban was the greater. See Fleury, l. xviii. § 20, 21.

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assumed the title of Boniface IX. He was endowed with good natural abilities, and was fluent in speech; but according to his secretary, Theoderic of Niem, he could neither write nor sing, nor was he acquainted with any science except that of grammar. He was as remarkable for his avarice as he was for his ignorance.* The claims on him were, indeed, many and great. The churches of Rome were in a state of dilapidation, and the Castle of St. Angelo was in ruins. His kinsfolk were poor and clamorous; and the demands upon his treasury for the support of his faction, or in furtherance of his schemes of ambition, were incessant. His predecessor had planned a jubilee as the means of replenishing his exhausted treasury. From a hundred years the jubilee had been reduced to fifty; and now, with an hypocritical sentiment, out of regard to the supposed duration of our Lord's humiliation, it was to be held every thirty-third year.†

Notwithstanding the perils of the journey, pilgrims—influenced by a feeling of piety, by party zeal, and by a determination to support Boniface, in opposition to the French pope—flocked to Rome. The papal coffers were filled; and yet for money there was an increasing demand. The necessary supplies were obtained by annates,‡ by

* Theoderic of Niem, ii. 6. See also Döllinger, 138.

† See Spondanus, ad. An. 1389.

‡ Annates were the profits of one year of every vacant bishopric in England, claimed at first by the pope, upon a pretence of defending the Christians from the infidels, and paid by every bishop at his accession, before he could receive his investiture from Rome. Afterwards the pope prevailed on all those who were spiritual patrons to oblige their clerks to pay these annates, and so by degrees they became payable by the clergy in general. Some of our historians tell us that Pope Clement was the first who claimed annates in England, in the reign of Edward I.; but Selden, in a short account which he has given us of the reign of William Rufus, affirms that they were claimed by the pope before that reign. Chronologers differ also about the time when they

the sale of expectatives, by commendams, by the sale of temporal honours and emoluments to Italian barons, by simoniacal transactions—at first conducted with caution and in secret, but afterwards with scandalous and defiant publicity.

By Boniface was established the precedent of an indiscriminate sale of plenary indulgences, such as led, at length, to the Lutheran Reformation. His emissaries appeared in England, to offer for money to those who stayed at home the same privileges which had been acquired by those who had kept the jubilee as pilgrims at Rome. Confession and penance were not imposed: a money payment was all that was required. By the side of the altar, in all the chief churches, a table was spread, covered with scarlet cloth, where the unholy traffic was carried on. Among the better educated, some were afraid of exposing themselves to ridicule, and others of incurring the suspicions of the government, by openly transacting business with the papal emissary. To meet the convenience, therefore, of those who wished to deal with him in private, the residence of the functionary was indicated by the papal arms suspended over his doorway, with a private entrance, we presume, round the corner.

The English government was vigilant. It was aware that the election of a new pope might afford a pretext for evading the various anti-papal Acts that had been passed in the late reign; and consequently the Statute of Provisors was confirmed by parliament with this additional clause:

became a settled duty. Platina asserts that Boniface IX., who was pope in the first year of Henry IV., *Annatarum usum beneficiis ecclesiasticis primum imposuit (viz.) dimidium annui proventus fisco apostolico persolvere*. Walsingham affirms it to be above eighty years before that time, viz. in the time of Pope John XXII., who was pope about the middle of the reign of Edward II., and that he *reservavit cameræ suæ primos fructus beneficiorum*.

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It is ordained and established that if any man bring or send within the realm, or the king's power, any summons, sentence, or excommunication against any person, of what condition soever he be, for the cause of making motion, assent, or execution of the said Statute of Provisors, he shall be taken, arrested, and put in prison, and forfeit all his lands and tenements, goods and chattels for ever, and incur the pain of life and member. And if any prelate make execution of such summons, sentences, or excommunications that his temporalities be taken and abide in the king's hands till due redress and correction be thereof made. And if any person of less estate than a prelate, of what condition that he be, make such execution, he shall be taken, arrested, and put in prison, and have imprisonment, and make fine and ransom by the discretion of the King's Council.*

The time had been, when such a measure as this would have met with the enthusiastic support of Courtenay; but the times were changed, and the alarm occasioned by the excesses of the Lollards and by the late insurrection had produced a considerable reaction in many minds. The primate, with the Archbishop of York, thought it expedient to qualify their acceptance of the additional clause by asserting, that they did not, by its acceptance, intend to interfere with any legitimate authority of the pope. Many persons also repaired to Rome, under pretext of keeping the jubilee, who advised the pope to protest against the renewal of the Statute of Provisors; and, in short, symptoms of what would now be called an Ultramontane spirit began to display themselves. The consequence of this was a royal proclamation, commanding the return to England, on or before the Feast of St. Martin, the 11th of November, under pain of forfeiting estate and life, of all persons, who had dared to go to Rome for the purpose of devising measures for rendering

* 13 Ric. II., stat. 2, cap. 3. Gibson, Codex Jur. Eccles. i. 85.

null any of the divers statutes made by the king and the parliament for the common benefit of his kingdom.*

While the government was thus acting with dignity, consistency, and firmness, the archbishop received a letter from the new pope—if pope he was,—entreating and imploring him to obtain for him a subsidy from the clergy of the Church of England. To the clergy themselves, soon after, a pathetic appeal was also addressed.

How changed were the principles and character of Courtenay! Under the influence, no doubt, of strong party feeling, when he was Bishop of Hereford he denounced the exactions of the Court of Rome; he threatened to stop the supplies to the home government, if it did not protect the clergy from the double taxation to which they were exposed, when subsidies were demanded of them, not by the king only but also by the pope. A pope at Avignon and a pope at Rome were, however, two different things. But still the conscience of Courtenay must have accused him of inconsistency when, though he showed no zeal in the cause, he permitted some measures to be adopted for furthering the designs of the pope. His conscience was quickened, when he received a significant notice from the government, in the shape of a letter written in the king's name. In this he was reminded that the king had lately renewed his coronation oath, according to the terms of which, he was bound to maintain the customs of the kingdom, to govern according to law, to preserve inviolate the rights of property, and to take precaution that no rates or taxes should be levied on the people without the consent of parliament. An address had been presented to the king by the last parliament, petitioning him to protect the clergy from the exactions of the Court of Rome, and to treat as a traitor to himself

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* Rot. Claus. 14 Ric. II. on 13 Dors. de Proclamatione.

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and his kingdom anyone who should bring into the country papal bulls, for the purpose of levying such impositions or of setting on foot any uncustomary practices. To these petitions the king had given assent, and they were now the law of the land. The royal rescript proceeds to state, that, notwithstanding this legal provision, the king had been informed of a new papal imposition upon the clergy, levied without the common advice and consent of the kingdom, but by the authority of the archbishop and his suffragans. The king then commands the archbishop, upon his allegiance and under the highest forfeitures, to revoke any orders he may have issued for the levying of this tax, to return any money that had been already paid, and not, himself, to contribute anything to the subsidy.*

We become aware, incidentally, that, whether willingly or not, the archbishop yielded obedience to the royal mandate. For, notwithstanding his urgent and pathetic appeal to the bishops and clergy of the Church of England, the pope only received a subscription of 1,515 florins, equal to £252 12s. 6d.

Not only had there been a change in Courtenay himself,—I do not say of principle, for he was a man of impulse and expediency rather than of fixed principles—there had also been gradually effected a change in the position of the primate, as such, in relation to the government. Archbishop Courtenay, belying the antecedents of his history, was now suspected of an inclination to abet the pope in his encroachments on the Church and State of England. The consequence was that he was induced, at the next parliament, to make the following declaration:—

To our dread sovereign lord the king, in this present parliament, his humble chaplain William, Archbishop of Can-

* Rot. Claus. 13 Ric. II. pt. 1. M. 17. De decimis Papæ non tollendis.

terbury, gives in his answer to the petition brought into the parliament by the commons of the realm, in which petition are contained certain articles ;

That is to say, first: Whereas, our sovereign lord the king, and all his liege subjects, ought of right, and had been always accustomed to sue in the king's court, to recover their presentations to churches, to maintain their titles to prebends, and other benefices of Holy Church, to which they have a right to present; the cognisance of which plea belongs solely to the court of our sovereign lord the king, by virtue of his ancient prerogative, maintained and practised in the reigns of all his predecessors Kings of England. And when judgment is given in his highness' said court upon any such plea, the archbishops, bishops, and other spiritual persons, who have the right of giving institution within their jurisdiction, are bound to execute such judgments, and used always to make execution of them at the king's command (since no lay person can make any such execution); and are also bound to make execution of many other commands of our lord the king; of which right the Crown of England has been all along peaceably possessed; but now of late divers processes have been made by the holy father the pope, and excommunications published against several English bishops for making such executions, and acting in pursuance to the king's commands in the cases above mentioned; and that such censures of his holiness are inflicted in open disherison of the crown and subversive of the prerogative royal of the king's laws and his whole realm unless prevented by proper remedies.

To this article the archbishop, premising his protestation,

that it was none of his intention to affirm our holy father the pope has no authority to excommunicate a bishop pursuant to the laws of Holy Church, declares and answers, that if any executions of processes are made, or shall be made by any person; if any censures of excommunication shall be published and served upon any English bishops, or any other of the king's subjects, for their having made execution of any such commands, he maintains such censures to be prejudicial to the king's prerogative, as it is set forth in the commons' petition;

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and that so far forth he is resolved to stand with our lord the king, and support his crown in the matters above mentioned, to his power.

And likewise, whereas it is said in the petition, that complaint has been made, that the said holy father the pope had designed to translate some English prelates to sees out of the realm, and some from one bishopric to another, without the knowledge and consent of our lord the king, and without the assent of the prelates so translated (which prelates are very serviceable and necessary to our lord the king and his whole realm), which translations, if they should be suffered, the statutes of the realm would be defeated, and made, in a great measure, insignificant, and the said lieges of his highness' council would be removed out of his kingdom without their assent and against their inclination, and the treasure of the said realm would be exported, by which means the country would become destitute, both of wealth and council, to the utter destruction of the said realm; and thus the crown of England, which has always been so free and independent as not to have any earthly sovereign, but to be immediately subject to God in all things touching the prerogatives and royalty of the said crown, should be made subject to the pope, and the laws and statutes of the realm defeated and set aside by him at pleasure to the utter destruction of the sovereignty of our lord the king, his crown and royalty, and his whole kingdom, which God forbid.

The said archbishop, first protesting that it is not his intention to affirm that our holy father aforesaid cannot make translations of prelates according to the laws of Holy Church, answers and declares that if any English prelates, who, by their capacity and qualification, were very serviceable and necessary to our lord the king, and his realm, if any such prelates were translated to any sees in foreign dominions, or the sage lieges of his council were forced out of the kingdom against their will, and that by this means the wealth and treasure of the kingdom should be exported; in this case the archbishop declares that such translations would be prejudicial to the king and his crown; for which reason, if anything of this should happen, he resolves to adhere loyally to the king, and endeavour as he is bound by his allegiance, to support his high-

ness in this and all other instances in which the rights of his crown are concerned. And lastly, he prayed the king this schedule might be made a record, and entered upon the Parliament roll, which the king granted.

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This declaration of the archbishop is the more remarkable, when we find the words used to be the very words employed in the Statute of Præmunire, which was confirmed, renewed, and completed in this parliament. We are not indeed obliged to defend the consistency of Archbishop Courtenay, but it is pleasant to record, that he was one of those who assisted in carrying the most important anti-papal Act of Parliament that was ever passed, anterior to the reign of Henry VIII. It is probable that this Act was passed at this time, because it was known, that in the letter of Gregory IX. to Archbishop Courtenay, the pope had ventured to speak of the anti-papal Acts of Parliament as null and void.* To this important Act we shall have occasion so frequently to refer that the reader is here presented with its chief provisions:—

Whereas the Commons of the Realm in this present Parliament have showed to our redoubted lord the king, grievously complaining, that whereas the said our lord the king and all his liege people ought of right, and of old time were wont, to sue in the king's court, to recover their presentments to churches, prebends, and other benefices of Holy Church to the which they had right to present, the consiance of plea of which presentment belongeth only to the king's court of the old right of his crown, used and approved in the time of all his progenitors kings of England; and when judgment shall be given in the same court upon such a plea and presentment, the archbishops, bishops, and other spiritual persons which have institution of such benefices within their jurisdiction be bound and have made execution of such judgments by the king's commandments, of all the time aforesaid without interruption, (for another lay person

* MS. in Brit. Museum.

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cannot make such execution), and also be bound of right to make execution of many other of the king's commandments, of which right the Crown of England hath been peaceably seised, as well in the time of our lord the king that now is as in the time of all his progenitors till this day. But now of late divers processes be made by the Bishop of Rome, and censures of excommunication upon certain Bishops of England, because they have made execution of such commandments, to the open disherison of the said crown and destruction of our said lord the king, his law, and all his realm, if remedy be not provided. And also it is said, and a common clamour is made, that the said Bishop of Rome hath ordained and purposed to translate some prelates of the same realm without the king's assent and knowledge, and without the assent of the prelates which so shall be translated, which prelates be much profitable and necessary to our said lord the king, and to all his realm: by which translations (if they should be suffered) the statutes of the realm should be defeated and made void, and his said liege sages of his council, without his assent and against his will, carried away and gotten out of his realm; and the substance and treasure of the realm shall be carried away, and so the realm destitute as well of counsel as of substance, to the final destruction of the same realm. And so the Crown of England, which hath been so free at all times, that it hath been in no earthly subjection, but immediately subject to God in all things touching the regalty of the same crown, and to none other, should be submitted to the pope; and the laws and statutes of the realm by him defeated and avoided at his will, in perpetual destruction of the sovereignty of the king our lord, his crown, his regalty, and of all his realm, which God defend.

And, moreover, the commons aforesaid say, that the said things so attempted be clearly against the king's crown and his regalty, used and approved of the time of all his progenitors. Wherefore they and all the liege commons of the same realm will stand with our said lord the king, and his said crown, and his regalty in the cases aforesaid, and in all other cases attempted against him, his crown, and his regalty in all points to live and to die. And, moreover, they pray the king and him require, by way of justice, that he would examine all the lords

in parliament, as well spiritual as temporal severally, and all the states of the parliament, how they think of the cases aforesaid which be so openly against the king's crown, and in derogation of his regalty, and how they will stand in the same cases with our lord the king in upholding the rights of the said crown and regalty. Whereupon the lords temporal so demanded have answered every one by himself, that the cases aforesaid be clearly in derogation of the king's crown and of his regalty, as it is well known, and hath been of a long time known, and that they will be with the same crown and regalty in these cases specially, and in all other cases which shall be attempted against the same crown and regalty in all points with all their power. And, moreover, it was demanded of the lords spiritual there being, and the procurators of others being absent, their advice and will in all these cases, which lords, that is to say, the archbishops, bishops, and other prelates being in the said Parliament severally examined, making protestations that it is not their mind to deny nor affirm that the Bishop of Rome may not excommunicate bishops, nor that he may make translation of prelates after the law of Holy Church, answered and said: That if any executions of processes made in the king's court (as before) be made by any, and censures of excommunication to be made against any bishops of England, or any other of the king's liege people, for that they have made execution of such commandments; and that if any executions of such translations be made of any prelates of the same realm, which prelates be very profitable and necessary to our said lord the king and to his said realm, or that the sage people of his council, without his assent and against his will, be removed and carried out of the realm, so that the substance and treasure of the realm may be consumed, that the same is against the king and his crown, as it is contained in the petition before named, And likewise the same procurators, every one by himself examined upon the said matters, have answered and said in the name, and for their lords, as the said bishops have said and answered, and that the said lords spiritual will and ought to be with the king in these cases in lawfully maintaining of his crown, and in all other causes touching his crown and his regalty as they be bound by their allegiance. Whereupon our said

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lord the king, by the assent aforesaid, and at the request of his said commons, hath ordained and established, that if any purchase, or pursue, or cause to be purchased or pursued, in the Court of Rome or elsewhere, by any such translations, processes, and sentences of excommunications, bulls, instruments, or any other things whatsoever which touch the king, against him, his crown, and his regality or his realm as is aforesaid, and they which bring within the realm, or them receive, or make thereof notification, or any other execution whatsoever within the same realm or without, that they, their notaries, procurators, maintainers, abettors, fautors, and counsellors, shall be put out of the king's protection, and their lands and tenements, goods and chattels forfeit to our lord the king; and that they be attached by their bodies, if they may be found, and brought before the king and his council, there to answer to the cases aforesaid. Or that process be made against them by *Præmunire facias* in manner as it is ordained in other statutes of provisors: and other which do sue in any other court in derogation of the regality of our lord the king.*

We see something of the old spirit revived in Courtenay on another occasion, when he firmly maintained the right of the Church of England to tax itself,—a right only renounced in the reign of Charles II. When the parliament proposed to vote the king a fifteenth, on condition that the clergy would grant a tenth, or a half, the archbishop opposed the motion. He said that the Church of England was a free church, that her liberties had been guaranteed to her by parliament as well as by kings, and that he would rather die than suffer her to be reduced to a state of bondage. The Lollards seem to have been strong in the House of Commons, and the resistance of the archbishop provoked them almost to fury. They called upon the king to humble the clergy, by abolishing the temporalities of the Church; and many of the leaders, making sure of carrying their point, began to calculate

* 16 Ric. II. cap. 5. Gibson's Codex, i. 86.

on their share of the spoil. But the king or his government declared, that it was his determination to uphold the Church of England, and to hand it down to his successors in a condition as good as, or better than, the condition in which it had come to him. The archbishop, after this, summoned a convocation, where a tenth was unanimously voted. The king affirmed, that he was better pleased with this subsidy freely voted than he could have been by a subsidy of four times the amount voted by compulsion.

Courtenay showed the same determination and firmness at Canterbury, where he resisted the attempts of the civil authorities to extend their jurisdiction into the precincts of the cathedral; and he threatened to place the city under an interdict, if the magistrates interfered in ecclesiastical affairs. He prohibited the sergeants of the city from bearing their maces within the precincts, since this innovation on their part was with the object of establishing their authority there, in defiance of the privileges of the Church.

All these little things let us into a view of the very disturbed and unsatisfactory state of affairs throughout the country; all things were ripening for the revolution which was soon to take place. The resistance which the archbishop met at Canterbury was, comparatively speaking, slight. He had greater difficulty at Romney. There the Lollard spirit was rife. The magistrates "intermeddled with church business." He nevertheless, as the record says, "compelled that unadvised town to submit."*

But, notwithstanding his firmness, the primate preserved his popularity to the last, as was testified by the manner in which, at his death, he was universally mourned. He was a man of simple tastes, as is so frequently the case with an aristocrat, and so seldom with the

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* Hasted, 333.

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nouveau riche. His mind often reverted to the days of his happy childhood in Devonshire; and he probably wished that he had not permitted ambition to call him from his peaceful residence in that lovely county. His manors of Maidstone and of Slindon, near Chichester, were his favourite homes, and to Maidstone he was a considerable benefactor. He rebuilt the hospital which had been established there by Archbishop Boniface, and converted it into a college of secular priests. In a codicil to his will he gave the residue of his property, after the payment of his debts and legacies, to the erection of the collegiate church.* He repaired the church at Meopham, and he added five scholarships to Canterbury College, Oxford.

At Canterbury he gave £266 13s. 4d. towards repairing the walls of the precincts, within which he obtained, through a grant from Richard II., the establishment of four fairs. He rebuilt the lodgings and kitchen belonging to the infirmary, at a cost of £133 6s. 8d. He expended £20 in making a new glass window in the nave of the cathedral, in honour of St. Elphege; and £200 in building the south side of the cloister. He gave to the high altar an image of the Holy Trinity, with six of the Apostles in silver-gilt, valued at £340, together with a rich cope, said to have been worth the fabulous sum of £300. He raised a subscription for rebuilding the nave of the cathedral, to which the king contributed one thousand pounds, and the archbishop himself a thousand marks.

The observance of two festivals was appointed by the primate—the Feast of St. Ann, the mother of the Blessed Virgin, and the feast of the Virgin's own nativity.†

Courtenay was not a man of a vigorous constitution, and

* Somner, p. 135; pt. ii. p. 75. See also Leland's Itinerary, vol. vi. f. 2, p. 2.

† He probably altered the character of the celebration of these feasts, which are of earlier date.

the annoyances, difficulties, and heavy responsibilities of his high office told upon him, making him prematurely old. He was seized with his last illness at Maidstone in July 1396. When he felt his end approaching he called for his will and added a codicil. He had intended at an earlier period of life to lie, at his death, with his ancestors, and to be buried in Exeter Cathedral. In his codicil, however, he stated that he did not consider himself worthy to be buried in his own or in any cathedral or collegiate church; and he therefore directed that he should be privately interred in the churchyard of Maidstone. He designated the spot—in the grave of his esquire, John Boteler.

On the 31st July, 1396, Courtenay died. Preparations were immediately made for carrying the archbishop's directions, as to his funeral, into effect. There still exists in the pavement of the chancel in Maidstone church a large slab, eleven feet five inches long by four feet two and a half inches wide, which, as a learned antiquary* remarks, manifestly demonstrates, by the still existing indentations, that an archbishop's cross with canopy and other ornaments once occupied the surface. Until the commencement of the present century it formed the tablet of an altar-tomb. On this spot it is supposed that Courtenay's body lay in state, immediately after his death, with the full intention that his obsequies would be there completed as by himself directed; but it was ordered otherwise. The chapter of Canterbury, however, and the people in general, were determined to do all honour to the late primate. The king, happening to be at Canterbury at the time, overruled the codicil, and decreed that the body should be brought to Canterbury. There the obsequies were performed in the presence of the king, of the

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* Herbert Smith, Esq., to whose interesting notes on brasses formerly existing in Dover Castle, Maidstone, and Ashford Churches, in the *Archæologia Cantiana*, vol i., I am indebted for these statements.

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principal nobility, of the bishops, abbots, and clergy, and a thousand spectators. It was a public funeral conducted on a scale of great magnificence.*

Although Courtenay died comparatively a young man, he had, as we have seen, taken the precaution to make his will. That will is still in existence; and as it throws light on the testator's character and the manners of the age, I translate certain portions of it. It will be seen that he had determined to be buried in the city of his native county, before he added the codicil of which mention has just been made:—

I will that my body be buried as quickly as may conveniently be possible, in the nave of the Cathedral Church of Exeter, in the place where now lie three deans in a row, before the high cross, not to imitate in this respect great lords, but only as a bishop or those nearer. And I will that the bishop of the place bury me, unless there shall come my venerable brother Thomas, by the grace of God Archbishop of York, Primate of England, according to the mutual agreement between us. In which event I beg my confrere the Bishop of Exeter for the time being, and all of his church and diocese, for reverence of God and His Church and help of my prayers, to show him all reverence, honour, and humanity. I will that those three deans who shall have been removed by reason of my burial may be buried in some other honourable part of the same church, entirely at my charge and expense. Also I will that at my burial there be

* Thorn. Col. 2198, states that Courtenay was entombed near the shrine of St. Thomas. The following entry is made in the obituary kept by the monks of Christ Church from 1486 to 1507, being an ancient parchment marked D 12—2. It is kept among other MSS. of the Dean and Chapter of Canterbury: “Anno Domini M^oCCC^oLXXXX^oVI ultimo mensis Julii feria ij obiit recolendæ memoriæ Dominus Willelmus Cortenay Archiepiscopus Cantuariæ in manerio suo de Maydyston circa horam nonam diei; cujus corpus feria quinta sequenti delatum est Cantuariam, et in præsentia Ricardi Regis incliti secundi, et multorum magnatum prælatorum comitum et baronum, ad pedes domini Edwardi principis Walliæ patris præfati domini regis Ricardi, juxta feretrum Sancti Thomæ ex parte australi, honorifice traditur sepulturæ.”

seven torches, one at the head and the other at the feet burning around my body, and that each of them be of twenty pounds weight. Also I will that forty candles be lighted on that day, &c., two for the use of the altar where my most reverend parents are buried, and four candles for the parish church of St. Martin of Exmynster, where I was born. Also I will that for my soul, &c., fifteen thousand masses be celebrated, &c. Also I will that two thousand matins be said, &c. I bequeath to my most excellent lord King Richard my best cross and 100 pounds, that he may be after my death my special lord, as he was in life my most special lord. I beseech also my said most excellent, dread, and trustworthy lord the king, by the love of the Lord Jesus Christ and the most blessed Mary the Virgin His mother, as well as Saint John Baptist and Saints Mary Magdalene and Catherine, together with all saints, that he deign to lend a helping hand to my executors, that my successor may not injure myself or them, or seek anything more than is due for reparations considering the state in which I found the church and my manors together with my Castle of Saltwode, and in what manner notwithstanding the earthquake—not without heavy and costly expenses, as my prior knows, as well as the heads of the chapter and the more influential persons of the whole diocese—according to my power and opportunity I have repaired them, as my executors will inform your highness, to whom may you deign to incline your excellency's ear for love of Him who in His poverty shut up bowels of compassion from no one. Having confided in your justice and equity, may your will be done. I bequeath also and leave to your most dread majesty his most devoted servant and dearest intercessor and my only sister Dungayne, beseeching humbly and devoutly that in this vale of misery you may deign with intuitive affection to preserve, cherish, and protect her under the wings of your most worthy protection. Also I leave to my sister aforesaid 200 pounds and my moderate-sized missal, &c. And my altar with the white silken covering, together with the table of my lord of Islip, and two silken coverings embroidered with popinjays, that she may make ecclesiastical vestments out of them. Also my portiforium which I had as a gift from my Lord Bishop of Winchester, and two superior cruets of silver gilt and two others,

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and 24 superior silver dishes, six garnati or chargers, 20 salt cellars, and three superior pairs of spoons and two silver basins, with the arms of Courtney, and a round golden cup made as it were winged, which I had given me by my lord the king, &c. Also I leave to the Lord Philip, my brother, 40 pounds, with a superior gilt cup and cover, with one ewer. I leave to the Lord Peter, my brother, 40 pounds. I leave to my sister, the Lady Anne de Courtney, 20 pounds and one gilt cup, &c. I leave to my most beloved son and pupil Richard Courtney 100 marks, and my best mitre in case he shall become a bishop, and my book contained in three volumes, being a dictionary with a calendar, in case he wish to be a clerk and be promoted to the priesthood, as well as St. Augustine's "Milleloquium," and my beautiful book called "Lira," contained in two volumes (sc.) for his lifetime; and I will that after his death the books aforesaid may remain to the holy church of Canterbury after the manner of a legacy. I leave to my little son—god-son—William Courtney, the son of my brother the Lord Philip, 109 marks, &c. I leave 100 marks to be distributed among the other sons and daughters of my brother the Lord Philip, &c. I leave to my metropolitan church a cope braided with pearls, and my green vestment adorned with gold, with 7 copes. Also I leave 200 pounds and more according to the discretion of my executors, and according to direction to be given by them for the new making or construction of one portion of the cloister from the door of the palace to the church extending in a straight course. I leave to the prior of my church at Canterbury my silver cup or bolla, desiring him to use it himself in remembrance of me, and that his successors may use it in the same manner.*

Legacies in money, plate, or vestments, were left to the subprior, to the church of Rochester, and to his nephew Hugh Lutterel. To Hugh Stafford something was to be given at the discretion of his executors, who are named.

There can be little doubt that the remains of Archbishop

* Batteley, Append. 32.

Courtenay lie at Canterbury,* beneath the elaborate monument there raised to his memory. Weever mentions a tomb which had been prepared for Courtenay at Maidstone,—a plain gravestone; “a lowly tomb,” he remarks, “for such a high-born prelate,—upon which his portraiture is delineated, and this epitaph inlaid with brasse about the verge :—

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“Nomine Willelmus en Courtnaius reverendus,
Qui se post obitum legaverat hic tumulandum,
In presenti loco quem jam fundarat ab imo;
Omnibus et sanctis titulo sacravit honoris.
Ultima lux Julii fit vitæ terminus illi,
M. ter C. quinto decies nonoque sub anno.
Respice mortalis quis quondam, sed modo talis,
Quantus et iste fuit dum membra calentia gessit.
Hic Primas Patrum, Cleri Dux et genus altum,
Corpore valde decens, sensus et acumine clarens.
Filius hic comitis generosi Devoniensis.
Legum Doctor erat celebris quem fama serenat.
Urbs Herdfordensis, Polis inclita Londoniensis,
Ac Dorobernensis, sibi trine gloria sedis
Detur honor digno fit Cancellarius ergo.
Sanctus ubique pater, prudens fuit ipse minister,
Nam largus, letus, castus, pius atque pudicus,
Magnanimus, justus, et egenis totus amicus.
Et quia Rex Christe Pastor bonus extitit iste,
Sumat solamen nunc tecum quesumus. Amen.”†

On the strength of this inscription, Weever supposed that the archbishop's body lay there; but when speaking of the cathedral he observes :—

It was the custome of old, and so it is in these dayes, for men of eminent ranke and qualitie to have tombes erected in more

* See Archæol. Cant. i. 179, where the whole subject is briefly discussed.

† Weever, Funeral Monuments, 285.

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places than one ; for example and prooffe of my speech, I finde here in this church a monument of alabaster, at the feete of the Blacke Prince, wherein, both by tradition and writing, it is affirmed that the bones of William Courtney (the sonne of Hugh Courtney, the third of that Christian name, Earle of Devonshire), archbishop of this see, lie entombed. And I finde another, to the memory of the same man, at Maidstone here in Kent.*

* Weever, Funeral Monuments, 225.

CHAPTER XVII.

THOMAS ARUNDEL.*

Family of Fitzalan.—House of Albini.—Richard, Earl of Arundel, a distinguished man.—Thomas, his son.—Knightly education.—Archdeacon of Taunton.—Conciliatory measures of the Pope.—Thomas appointed by provision Bishop of Ely at twenty-two years of age.—Enthronization.—His munificence.—History of Henry Spencer, Bishop of Norwich.—Bishop of Ely's rebuke of the Earl of Suffolk.—The Gloucester party.—Character of Richard II.—Meeting of Parliament.—Conference at Eltham.—Arundel Lord Chancellor.—The Appellant Ministry.—Arundel resigns the Great Seal.—Translated to York.—Preaches the funeral sermon of the Queen.—Praises her study of the Bible.—William of Wykeham's able administration.—Arundel a second time Chancellor.—Discontent at the removal of the Court of Chancery to York.—Arundel translated to Canterbury.—Resigns the Great Seal.—Conciliatory policy of Arundel.—Treachery of the King.—Opposition of the Earl of Arundel.—Arundel accused of treason.—Banished.—Goes to Rome, and received with cordiality by the Pope.—The King's letter to the Pope.—The Pope afraid to befriend Arundel.—Translates him to St. Andrews.—Walden appointed to Canterbury.—Arundel declares the translation a nullity.—Retires to Florence.—Plans of revenge.—Exile of the Duke of Hereford.—Arundel in communication with the Londoners.—His journey from Utrecht to Paris.—Interview with Bolingbroke.—Lands at Ravenspur with Bolingbroke.—Preaches Rebellion.—Attends Boling-

* Authorities:—*Historia Eliensis*; Walsingham; Gower's *Tripartite Chronicle*; Froissart; Capgrave: *Memorials of Henry V.*; *Fasciculi Zizaniorum*; *Dies Obituales*; *Lambeth Register*; *Monachus Eveshamensis*; *Eulogium Historiarum et Continuatio*, edit. Haydon; *Creten's Metrical Hist.* in *Archæologia*. xx.

broke to Chester.—Fearful perjuries on all sides.—The Archbishop visits the King at Flint.—Interviews with Richard in London.—Resignation and deposition of Richard.—Preaches before the Convention Parliament.—Crowns Henry IV.—Resumes the office of Archbishop.—Refuses to recognise Waldon.—Secular offices after the Revolution.—Raises money for the Government.—Attacks made on Church property by Lollards.—Antipapal legislation.—Manner of bestowing high preferments in the Church.—Bianchini and Albini.—Controversy with Oxford.—Proposal to exhume Wielif.—State of parties.—Unsatisfactory condition of the country.—Statute “De Hæretico Comburendo.”—Proceedings against Sautree.—Trial of Badby.—Trial of Oldecastle.—Arundel’s statement of the case.—Death.—Will.—Inventory of his goods.

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THE family of Fitzalan descended from Alan, the son of Fleald or Flataldus a Norman, who sought his fortune in England by following the standard of the Conqueror in 1066. Alan had two sons. Walter, his second son, was an adventurer like his father, and going into Scotland, he purchased of David, the king of that country, the office of grand-steward. Hence, of the royal family of Stuart he was the progenitor.* William, adopting his patronymic, called himself Fitzalan, and inherited his father’s honours; being possessed of the castle of Madoc, at Meredith, in Wales, with the lordship of Oswaldestre in the county of Salop.† His grandson, John, married Isabel, sister and coheir of Hugh de Albini, Earl of Arundel. Their son, of the same name, succeeded in right of his mother in the year 1243, to the Castle of Arundel. He became ninth Earl of Arundel, being the first earl of the House of Fitzalan.‡

The House of Albini, which was thus merged into the

* Tierney’s History and Antiquities of the Castle and Town of Arundel. This local history is in every respect worthy of the high character of this eminent antiquary and amiable man.

† Vincent, No. III. 26, 419, BB, 406, 576. Apud. Coll. Arm.

‡ Fines, 28 Henry III. m. 6. Pat. 28 Henry III. m. 13.

House of Fitzalan, was also of Norman origin. Its founder was William de Albin, surnamed William the Strong, who was invested by the Conqueror with the lordship of Buckingham in Norfolk, together with the office of chief butler to the king (*pincerna regis*)—an office which still pertains to the Dukes of Norfolk, their descendants, as Earls of Arundel.*

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He married Adeliza, the relict of Henry I., who conveyed to her second husband the honours and estates in Sussex which, under her former marriage, had been settled upon her in dower. He became, in her right, Earl of Arundel, and assumed the title.†

Such was the family of Thomas Fitzalan, or, as he was generally called, according to a prevalent custom of the age, before mentioned, Thomas Arundel, the latter being his historical name. His father, Richard Fitzalan, Earl of Arundel, took for his second wife Eleanor, the widow of John Lord Beaumont.‡ She was the daughter of Henry Plantagenet, Earl of Lancaster.

Of this marriage Thomas was the third son: and through his mother, therefore, he was nearly connected with the royal family of England.§ His father, Richard, was one of the most distinguished among the illustrious warriors

* Tierney, 469. Dugd. Bar. i. 110.

† The controversy which arose, whether Arundel Castle conferred the title of earl to its possessor, is clearly and forcibly stated by Tierney in the fourth chapter of his History.

‡ Ex. 47 Ed. III. No. 2. Pat. 19 Ed. III. p. 2, m. 102.

§ "There is a curious instance," observes Mr. Foss, "of the application of the word 'uncle' in a letter addressed to Arundel by Henry of Lancaster, Earl of Derby (afterwards Henry IV.), enclosing a petition in Chancery from one of his tenants, which is among those prefixed to the 'Proceedings in Chancery in the Reign of Queen Elizabeth,' published by the Record Commission, vol. i. p. 7. Henry addresses him as the 'Very Reverend Father in God, and his very dear and very entirely wellbeloved unclc.' The actual relationship between them was this: Henry's mother, Blanch, the wife of John of Gaunt, was the granddaughter of

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and statesmen who adorned the age of Edward III.* He was admiral, under the immediate command of the king, at the famous sea-fight of Sluys; and he commanded the second division of the English army at Cressy.

Thomas Arundel was born about the year 1352, and his father, before his death, had the happiness of seeing him Bishop of Ely. He bequeathed him 2,000 marks.† Thomas remained in his father's castle until he was prepared to enter the university. His primary education differed little from that of the other young noblemen of the day, of which Harding gives the following account:—

And as lordes' sonnes bene sette, at four yere age,
To scole at lerne the doctryne of lettrure,
And after at sex to have thaym in language,
And sitte at mete semely in alle nurture;
At ten and twelve to revelle is thair cure,
To daunse and syng, and speke of gentelnesse;
At fourtene yere they shalle to felde I sure,
At hunte the dere, and catch an hardynesse.

It was at this time that the brotherly love between Thomas and his elder brother, Richard, ripened into a friendship, which led them to co-operate in political affairs, and induced the archbishop to avenge the death of the earl, by assisting in the deposition of a king. The family feeling was strong in Thomas Arundel.

the archbishop's grandfather, through his mother's elder brother, and was consequently the archbishop's first-cousin. It thus appears that it was the custom in that age for children to designate the first-cousins of their parents as uncles and aunts, a practice which we find is still prevalent in Wales."

* His career is described by Tierney, i. 225.

† Dugd. Bar. 318.

At sixteen they separated. Richard, the heir, was required—

To juste and ryde and castels to assayle,
 To scarmyse als, and make sykyr scourage,
 And sette his wache for perile nocturnayle ;
 And every day his armure to assay
 In fete of armes with some of his meyne,
 His might to preve, and what that he do may
 Iff that he were in suche a jupertee
 Of werre by falle, that by necessite
 He might algates with wapyns hym defende :
 Thus shuld he lerne in his priorite
 His wapyns alle in armes to dispende.*

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At the proper age, Thomas was sent to Oxford. At the university he distinguished himself so little that it yet remains for the archæologist to discover the name of the college or hall in which he resided. He became a man of much information and of considerable talent,† but he did not aspire to become a scholar or a divine. He took at Oxford his B.A. degree, and to a higher degree he never aspired either at Oxford or elsewhere.‡

During the preceding century a great change had taken place in society. The middle classes had risen to importance in the House of Commons. They were now taking an interest in public affairs, and did not merely confine themselves to the one subject of taxation. Learning was no longer despised, nor was it any longer a monopoly of the clergy. Professions had begun to be formed. At one period, men sent to the cathedral or the monastery to find the lawyer or the physician ; and these again sought their remuneration not only or chiefly through fees, but through ecclesiastical preferments. Laymen were now practising

* Hardyng's Chronicle. MS. Lansd. 200, f. 12.

† "Erat autem vir eximiæ scientiæ, clari ingenii, in singulis agibilibus providus et circumspectus."—Dies Obituales. Ang. Sac. 62.

‡ Wood's Annals, 541.

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both in law and physic, and the clergy were expected to confine themselves to their proper business. The idea was beginning to prevail that the Church, though connected with the State, was not part and parcel of the State, and that the clergy might have interests distinct from those of the statesman. The spirit of the age had its influence on the aristocracy, and they too perceived that, if they were to maintain their position in the country, they must be prepared to defend the Constitution by intellectual as well as by physical force. They were not slow to discover that, if ecclesiastical preferments were no longer to be given as the reward and remuneration of successful labour in the middle and humbler classes of society, they might be employed as the means by which the power and influence of the nobles might be extended and advanced; and so the Devonshires and the Norfolks, with much worldly wisdom, pushed, at an early period of life, the scions of their respective houses into the high places of the Church.

Among the clergy a professional feeling naturally, under these circumstances, arose. In former times, they had acted on a broad principle. Church and State being one, they were to be ready to apply their talents to either, as circumstances might require. But now, when they were compelled to regard the clerical as one among several professions, the narrow professional spirit which it is so difficult to keep within proper bounds began to prevail. But no transitions that are worth anything are sudden. The clergy, though they were narrowing themselves more and more into the professional feeling, were not prepared, when advanced to high positions, immediately to recede from the secular duties which seemed to be attached, by long usage, to their office. A Courtenay and a Fitzalan, though they had not practised in law-courts, were ready to act as statesmen. If, as statesmen, it was important for them to occupy a position in a court of law, they were,

by their legal education, enabled to do so. But from this time, generally speaking, instead of the lawyer rising to a bishopric, the bishop comes down from his episcopal throne, for some especial object, to administer the laws.

These observations are necessary to enable us to understand the history of the present primate, as well as that of his immediate predecessor. In former times, they would have commenced with the practice of the law, and have received their ecclesiastical preferments as part payment for work done. Now, the interest of their families was exerted to obtain preferment for them at as early a period of life as that system of dispensations, which so frequently nullified the canon law, would render it possible. At twenty-one years of age, Thomas Fitzalan of Arundel was Archdeacon of Taunton, and at twenty-two he was Bishop of Ely.

We are surprised at his being selected for the episcopate at an age so early, for this had not, for many years, been customary in the Church of England. But I think that a reason for his early preferment can be found by a reference to the history of his family. The Earl of Arundel had quarrelled with William de Lenne, or de Lynn, Bishop of Chichester; or, to speak more correctly, the bishop had quarrelled with the earl, and had procured a citation from the pope, ordering the earl to make personal appearance at Rome, to answer in the Roman court to the charges that would be advanced against him. The origin of the dispute and the nature of the accusation are not known, but, of course, it related to something purely ecclesiastical. This was so flagrant a violation, on the part of the bishop and the pope, of the Statute of Præmunire and the canon law of England, and such an insult to the dignity of the crown, that the king had been excited to a state of great indignation; and, while the earl disregarded the citation and treated

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it with contempt, the bishop was summoned into the king's court to account for his presumption in attempting to introduce a foreign tribunal in the country.* The bishop was convicted in the penalties of a *præmunire*; the temporalities of the bishopric had been seized, and his goods and chattels were confiscated to the crown.†

When the vacancy in the diocese of Ely occurred, in 1373, there was, however, a desire on the part of the papal authorities to enter into terms of amity with the English government; and the English government, under John of Gaunt, was equally desirous of establishing friendly relations with the pope. John of Gaunt was always more hostile to the bishops and clergy of the Church of England than he was to the pontiff. His government, consisting exclusively of laymen, had indeed desired to attempt what had never been attempted or, up to this time, desired by any ministry consisting of ecclesiastics. To satisfy the pope, the Lancastrian ministry had proposed a total repeal, by royal prerogative alone, of the law of 1363 against provisors.‡ They had not, indeed, arrived at this climax until the year 1375. But in 1373 they were in treaty with the pope, and it seems probable, after the statement just made, that the pope desired to terminate any feeling of hostility towards him which might still exist in the Arundel family, its head being a personal friend of the Duke of Lancaster; and that in order to effect this object he proposed to advance the clerical member of that family, by provision, to the episcopate. The government, on the other hand, were quite willing to see how far a violation of the Statute of Provisors would be tolerated, when it had reference to the appointment of a young man whose family, at this

* Tierney's Arundel, i. p. 238.

† Placit. 39 Ed. Tierney's Arundel, 238.

‡ Fascic. Zizan. xxiii.

time, was influential in the parliament. The age of the young aspirant to episcopal honours would not be an impediment to his advancement; for all laws could be overridden by a dispensation, and a dispensation would be readily granted by the reigning pope; Gregory XI. having been created a cardinal before he was nineteen years of age.

In the meantime, a *congé d'élire* had been addressed to the chapter of Ely, in which John Woderone was recommended for the bishopric. The prior and monks, however, in the uncertain state of the government—the two parties, that of the Black Prince and that of the Duke of Lancaster, contending at that time for the mastery—determined to make an effort to establish the freedom of election. They hoped to do so, without causing offence, by electing the king's treasurer, Henry of Wakefield, a good and pious man, whose election gave satisfaction to the citizens of Ely.* Under such circumstances, at certain periods of our history, there would have been a controversy between the government and the chapter. But when the appointment by provision arrived, the monks of Ely, acknowledging the pope as their superior, could not consistently reject the papal nominee. It was for the government to resent and nullify what was a direct violation of the law. But the government, for reasons just suggested, were willing to accept what the pope intended as a peace-offering.

Arundel was consecrated at Otford by Archbishop Whittlesey, assisted by the Bishops of London and Rochester, on the 9th of April 1374.† When appointments were made by provision, for fear of opposition from the metropolitan, the pope was accustomed to give to the object of his favour and usurpation, permission to

* Hist. Eliens. Ang. Sac. i. 664.

† Stubbs, 58. Reg. Whittlesey. Reg. Arundel.

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select his consecrator. The aged and infirm archbishop was probably himself selected, as any irregularity might strengthen the hands of an opponent, if, as was possible, the present violation of the law should at any time occasion an opposition to the new prelate in parliament. The bishop's two brothers, Richard and John, and other members of his noble family, were in attendance to ratify the family compact.* For some reason or other, the enthronization of the new bishop was delayed till the 20th of April in the year 1376.

Soon after his consecration, the bishop was staying at Mitcham, in Surrey. Here he was waited upon by Robert Thirkilby, one of the proctors of the University of Cambridge, attended by one of the beadles; and he presented John Donwick, doctor of decrees, lately elected chancellor. The bishop admitted and confirmed him. But Arundel, young as he was, was a man of business; and, on inspecting the registers of his predecessors, he found that, whether intentionally or not, the authorities of the university had induced him to act in a manner which, if his conduct on this occasion were drawn into a precedent, would be seriously injurious to the rights of the see of Ely. The proctor had not thought it necessary to remind the young prelate that, before confirming the chancellor, it was customary for the bishops to require him to take an oath of canonical obedience, and also to swear that he would not obtain or consent to any statute, made or to be made, that might in any way be prejudicial to the rights of the Bishop of Ely and his successors. The bishop, on finding that he had been imposed upon, instantly instituted a suit against the chancellor, and a warm controversy was the result. On the 7th of December, however, judgment was given in the Court of Arches, and the bishop esta-

* Ang. Sac. i. 664.

blished the rights of the see of Ely.* On a vacancy in the chancellorship, in 1384, the university acted strictly according to law, and the new chancellor took the prescribed oath, the bishop having nominated his commissary to act as chancellor until the oath was taken.

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There appears to have been an expectation in other quarters that so young a prelate was likely to be careless, but Arundel soon showed that he was quite prepared to maintain his own. Between Edward Bunell, archdeacon of Ely, and the bishop, a dispute arose about ecclesiastical jurisdiction. A suit in the Court of Canterbury ensued, and again judgment was given in favour of the bishop. The archdeacon was obliged to appear in person before the bishop at his manor of Downham, there to make his submission and to take the oath of canonical obedience.†

In 1383 the Bishop of Ely was appointed by the king to act in his name as the visitor of King's Hall in Cambridge, where great irregularities had taken place; the buildings being dilapidated, and books, plate, and goods having been purloined.‡

Arundel was at all times princely in his acts of munificence, and he became a benefactor to the see of Ely. The cathedral and the palace bore witness to his munificence. The episcopal residence in Holborn was refitted and enlarged, almost rebuilt, by Arundel, and he enclosed with a wall twenty (some say forty) acres of land round the house, creating a *rus in urbe*.§ Some of his special benefactions to his cathedral it may be worth while to record.

* Registrum Arundel, fol. 75. There seems to have been some irregularity on the part of Arundel's immediate predecessors, which afforded some justification for the conduct of the authorities at Cambridge.

† Ibid. fol. 22, 30.

‡ Ibid. fol. 106.

§ Pennant, 184.

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One tablet* of gold of great value, full of relics of saints, with large pearls, rubies, and sapphires, worth 300 marks. This tablet formerly belonged to the King of Spain, and afterwards to the Lord Edward, the most noble Prince of the English, of whom the said venerable father bought the tablet aforesaid, and bestowed it on his church, as is premised. He constructed the gates of the house at Holborn in London. He gave also one cope, a chasuble, two tunics, and one valuable alb, with other albs of red velvet, embroidered with large griffons of gold.†

An anecdote is told of him, when he was bishop of Ely, which is here produced because it illustrates the bishop's character, and, at the same time, shows the antagonism which was going on between lawyers who continued to be laymen, and lawyers who were also ecclesiastics. We must, in narrating it, refer briefly to the history of Henry Spencer, Bishop of Norwich.

Henry Spencer was, at one period of his life, the most popular prelate of the age. Capgrave selects him as one of the illustrious men who bore the name of Henry.‡ He was, from his earliest years, devoted to the profession of arms. Finding no employment in his own country, he accepted a commission from the pope, and fought in the armies of Urban V. Having no other means of rewarding the meritorious services of the young soldier, the pope made him, by provision, Bishop of Norwich. It is mentioned to Spencer's credit that, as soon as he was consecrated to the bishopric, he resigned his military appointments, and determined to reside in his diocese. He

* "Tabula." Ducange gives no fewer than fifteen mediæval uses of this term. The last definition but one may here be quoted, "Tabula inter vasa ecclesiastica sanctorum reliquiis sæpius ornata."

† Hist. Eliensis. Ang. Sac. i. 665.

‡ Libri de Illustribus Henricis, 170. See also Ang. Sac.; and Froissart, *Fœdera*, vii. 424; Rot. Parl. iii. 153; Wilkins, iii. 176.

soon became eminent for the great kindness and the sound judgment with which he discharged his pastoral duties. He was open-handed, kind-hearted, and, sympathising with the afflicted, he was liberal to the poor.* He was regarded as the father of his people. Unfortunately, according to our estimate of things, his martial spirit was once more aroused by the insurrection of 1381. While lords and knights were hiding themselves through fear, or barricading in their strongholds, says the contemporary chronicler, the Bishop of Norwich appeared at the head of his retainers, with his two-handed sword, his favourite weapon, in his hand; and he threw himself into the struggle with all the enthusiasm and military ardour of his younger days. He not only defeated the rebels, but, by his relentless severity, he quelled the rebellion. His severity was to our minds awful; but among the upper and middle classes of his contemporaries it was applauded. He had merged the bishop into the baron; and the baron, returning from the field of fight, felt no longer the relish he had, at one time, experienced in the discharge of the humble duties of a pastor. He accepted with eagerness another commission from Pope Urban, to act as the general of the papal forces in the Low Countries against Pope Clement.

The Bishop of Norwich was commissioned to act as Pope Urban's nuncio, for raising supplies to support his army against Pope Clement: and he had such authority as the pope could give, to excommunicate, suspend, and interdict all persons who should obstruct him in the execution of his commission. In acting in his present capacity, he subjected himself to the penalties of a *præmunire*; but,

* "Adepto igitur Pontificali gradu, multis annis populum suum pace gubernans, omnium subditorum corda retinuit. Largus erat in dandis, lætus in consolandis, et pauperum omnium optimus pater; effectus eorum vota manorem suum retorsit."—Capgrave, 170.

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instead of prosecuting him, the government connived at his proceedings, because, in effect, he would be carrying on a war against our great enemy, the French. By the French the Flemings were at this time much pressed; and application had been made to England, on behalf of her allies, for assistance. Under the existing circumstances of the country, aid was more easily asked than granted. The Duke of Lancaster was, at this very time, demanding government aid that he might be enabled to prosecute his selfish objects in Spain. The indirect opposition of the unpopular duke; the national feeling of hostility towards France, against whom, in the first instance at all events, the bishop would have to fight, added to the religious party feeling, which urged the people to support an anti-Gallican pope against a pope devoted to the French.

All these things combined seemed to create an enthusiasm in favour of Spencer and his cause. He had unlimited powers, unscrupulously used, of granting indulgences to all who would enlist in his service, or contribute to the cause. The clergy were eager to levy contributions; military ardour took possession of the London apprentices; villeins were ready to emancipate themselves from what had become a thralldom, by enlisting in what was regarded as a crusade. Multitudes, at the same time, of the very scum of society, the bandit and the outlaw, tendered their services from an appetence for plunder. The badge of the crusade was seen in all quarters,—white cloaks with red crosses on the breast, and swords in red scabbards. The ladies were enthusiasts for Urban; the men looked forward for a return of the days of Cressy and Poitiers in our triumphs over the French. In short, one of those national madresses occurred, of which we so frequently read in history, attended by a reaction of which the accounts are quite as many.

It is not necessary to enter into the causes of the bishop's failure. It was attributable, in part, to the hostility of the Duke of Lancaster, who prevented him from receiving the proper supplies of men and ammunition, and in part to the demoralised state of the army formed under the circumstances just described. It is sufficient here to state that the expedition failed; and that all the blame of its failure was laid to the account of the unfortunate Bishop of Norwich. He who left England a hero in the imagination of the ladies, and in the expectation of the veterans who had fought under the Black Prince, returned to his country only to be impeached for his misconduct; and, in his impeachment, he was doomed to find scarcely a single defender. Every kind of base motive and corrupt practice was now attributed to the once popular prelate. The temporalities of his see were confiscated to the king, until all demands upon the bishop should be met; and when the crown would consider this end accomplished, and return the forfeited estates, this was more than the unfortunate prelate could discover.

This digression scarcely requires an apology, as it throws light upon Arundel's character. The Bishop of Ely had shared in the popular enthusiasm, and would not forsake his friend in his need. He was aware that all the demands that could be fairly made upon the Bishop of Norwich had been fully met, and that the retention of the episcopal property had, at length, become an insult and an injury to the Church. The Bishop of Ely took occasion to lay the case before the king, Richard II., whose impulses, notwithstanding his many faults, were generous and kind. He solicited the king, in the parliament of 1385, that he would permit the temporalities of the see of Norwich to be restored to the bishop. The king was beginning to relent, when out spoke Michael de la

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Pole, Earl of Suffolk and lord high chancellor: "What is it, my lord bishop—what is it you are asking of the king? Restore the temporalities! Seems it to you but a small matter for him to part with temporalities yielding to his coffers a net income of not less than a thousand a year? Little need hath king of counsellors or friends as would act thus to his detriment." The Bishop of Ely roundly replied: "What saith your lordship, my Lord Michael? Mind ye, I do not ask the king for anything that is the king's own. What I ask of the king is that which he, drawn thereunto by the counsel of you and such as you, unjustly detains from other men, and which, as I opine, will never do him any good. As for you, my lord, if the king's hindrance be the thing you weigh, why did you accept, let me ask—why did you so greedily accept the thousand marks by year when you were made an earl?" This speech is said to have so "roundly put the chancellor home, that he never after offered any further cross, and the temporalities of the Bishop of Norwich were restored."

Credit is thrown upon this story, as stated on the authority of Grafton, by our finding in the Specie Rolls that Richard II. was frequently under pecuniary obligations to the House of Arundel. Soon after the accession of Richard II., the royal finances had been reduced to such a condition by the expensive wars of England, that the king was obliged to pledge his crown and the crown-jewels to the merchants of Flanders; and they were placed in the hands of the Bishop of London and the Earl of Arundel as a security for the sum of ten thousand pounds, which was to be borrowed of John Philpot and other merchants of London.* A scion of the House of Arundel had a perfect right therefore to speak on such a subject as that which

* Rot. Parl. 17 Edw. III. p. 1, m. 8. Rot. Parl. 1 Ric. II. p. 1, m. 25. See also Parl. Records or Specie Rolls, 228, 229.

was discussed between the Bishop of Ely and Lord Michael the Chancellor, whom he was destined soon after to succeed. There were evident allusions in this conversation to the attempts made by the opposition to persuade the king to discard his present advisers, and to accept the services of the party to which the Arundels were attached.

The Bishop of Ely did not come prominently forward into public life, or occupy himself with affairs of state, during the lifetime of Edward III. But after the accession of Richard II. his name occurs frequently in the rolls of parliament; and in the fifth year of that monarch he was a member of the council. He did not, however, take any other office until the memorable year 1386, when we find him acting as one of the leaders in the party which had been formed by the Duke of Gloucester.

Of the rise and early proceedings of that party we have not sufficient materials to give an account; what is stated on the subject amounts to little more than conjecture. For probable conjecture upon the subject, sufficient grounds certainly do exist; and they mainly rest upon the character of the young king. Richard II. was, if we may express ourselves in plain terms, a clever fool. Such persons are often found in the highest classes of society—men whose talents are sufficient to make them agreeable companions; who are witty and, to a certain extent, well informed; who, in sudden emergencies, show themselves to be possessed of a dormant intellectual force and a moral strength of will, which fills their acquaintances with astonishment and overpowers opposition. Nevertheless, their whole career indicates not only an absence of moral restraint and want of principle, but an inaptitude also to perceive the importance of consistency, the probable results of thoughtlessness, and the necessity of forethought. They can neither reflect nor forecast. The friends of

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Richard II. would speak of the beauty of his person, the elegance of his manners, the refinement of his tastes, his repartee mingled with good nature, his devotion to his friends, and especially to a wife worthy of his affections, who often succeeded in restraining the worst parts of his character.* His enemies found him to be childishly irascible,† false, fickle, vindictive, implacable, and, above all, a man whose word, whose very oath, could not be trusted. The life of a prince who cannot be believed is, in self-defence, sacrificed, when his enemies are in power. In Richard was verified the sacred proverb: “Excellent speech becometh not a fool, much less do lying lips a prince.” ‡

Much of the evil in Richard’s character is, no doubt, to be traced to his wretched education. His uncles, selfish and coarse men, regarded him—the Duke of Lancaster as an obstacle to his ambition, and the Duke of Gloucester with feelings of personal dislike. They restrained and coerced the royal youth. Severity in education is an education in habits of deception. The youth, sternly con-

* The violence of his grief on the death of good Queen Anne was childish; but I should argue its sincerity from the very fact which some authors adduce to establish the opposite conclusion. He married again soon after her death; but whom?—a child! The marriage was never consummated, and he was so kind to the child as to win its affections. But surely this shows that, although he would make through matrimony a political alliance with France, he never intended that his bed should receive a successor to good Queen Anne. The French tastes of Richard conduced to his unpopularity.

† Of his irascible temper, as well as of the eagerness with which the young monarch entered into public business, we have several instances in the minutes of the Privy Council. One of the charges brought against him in parliament at a later period of his reign, was that he was accustomed to reprimand and interrupt members in so sharp and sudden a manner as to prevent them from expressing their sentiments.—Rot. Parl. iii. 420.

‡ Proverbs xvii. 7.

trolled, who is visited for every "nice offence," is a youth trained to be a liar. In a young man of noble or royal birth, perfectly conscious of the possession of power, in the exercise of which he is, for a time, restrained, the malignant passions are, by too much strictness or restraint, both roused and concealed. Richard determined in his heart, and in this determination he was encouraged by his youthful companions, to retaliate upon his uncles, when he should come of age, all the unkindness which, in his nonage, he experienced. His affections were never educated; and his strong affections therefore were often misapplied. At eighteen years of age he set his guardians at defiance, surrounded himself with youthful counsellors, and seemed to think that all that could be required of a king was to eat, drink, and be merry. It is to this period of his life particularly that we are to apply the satire of the "Vox Clamantis," when Gower criticised his conduct, if severely, yet more in pity than in bitterness—

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Quid tibi forma juvat vel nobile nomen avorum,
Si viciis servus factus es ipse tuis.

The prodigality of his expenditure, as represented by the chroniclers, exceeds the bounds of credibility:—

Truly I heard Robert Ireliffe saye,
Clerk of the Grenecloth, that to the household
Came every daye for moost partie alway,
Ten thousand folke by his messis tould,
That followed the house aye as thei would,
And in the keepin three hundred servetours,
And in each office many occupiours.

And ladies fair with their gentilwomen.
Chamberers also and lavenders,*
Three hundred of them were occupied then.†
Ther was greate pride emong th' officers,
And of all men far passyng their compeers,

* Laundresses.

† Were accounted of them.

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Of riche arraye and muche more costious
Then was before or sith, and more precious.

Yeomen and gromes in cloth of silke arrayed,
Sattyn and damaske in doublettes and grouves,
In cloth of greene and scarlet for unpaid,
Cut werke was greate both in court and tounes.
Both in mennes hoddis and also in their gounes.
Brouder and fures and goldsmith's werke, aye newe,
In many awise each day thei did renew.

In his chapel were bishops then of Bearne,
Some of Ireland, and some also of Fraunce,
Some of England, and clerkes of many a realm,
That little connyng had or conisance
In music honorably God his service to advance
In the chapel, or in Holy Scripture,
Any matter of gode to refigoure.

Lewd men they were in clerkes' clothing,
Disguised fair in fourme of clerkes wise,
Their peryshyns full little informing
In lawe divine or else in God his service ;
But right practyse thei were in covetyse,
Eche year to make full great collection
At home instead of soul's correction.*

Except by the profligate multitude, battered by their attendance upon the court, the question came to be asked, how are these expenses to be met? The dis-

* Harding, 346, 347. I give the description in his words, as he was a contemporary, being born, as we learn from his own testimony, in 1378. Richard II. kept up great state. The manner of holding a levee at that period was superior in style, and less fatiguing to the sovereign, than the present ceremonial. "Et post hoc rex in diebus solennibus in quibus utebatur de more regalibus jussit sibi in camera parari thronum, in quo post prandium se ostentans sedere solebat usque ad vespas, nulli loquens et singulos aspiciens. Et quum aliquem respiceret, cujuscunque gradus fuerit, oportuit ipsum genuflectere.—*Contin. Eulogii*, 378.

content of the middle classes, upon whom the burden would mainly fall, was fostered by the ancient nobility, greatly indignant at their exclusion from the court. Foreigners, even foreign clergy, were the people most welcome there; and a jealousy of foreigners had prevailed from the time when the national character was gradually formed, and the distinction between Norman and Saxon had ceased.

In 1386, things had come to a climax. The emissaries of the Duke of Gloucester had been busy through the length and the breadth of the land, to secure the return to parliament of a majority of persons prepared to proceed to extremities against the royal favourites, as it was the fashion to denominate the members of the ministry. Richard chose his ministers, not because he desired to see the country well served, but simply because he desired to have his friends around him; those friends preserving their influence by pandering to the vices and by humouring the whims of the young king. But it may be doubted, whether the opposition would have succeeded so soon in rousing the country, if it had not been for the excitement occasioned by a report, well-founded, of the designs entertained by the French to invade the country. There was no fear, but the threat of an invasion on the part of the French, whom we had so lately conquered, excited a feeling of national indignation against the government.

When parliament met, the Duke of Lancaster, to the king's delight, had left the country.* The Duke of Lancaster, or King of Castile, when he found that the country would not support him in any scheme for setting aside the son of the Black Prince, regarded his nephew with feelings of contempt it may be, but not with feelings of personal dislike. The Duke of Gloucester hated his nephew,

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and the hatred was reciprocal. The exasperation against the king was increased in the mind of Gloucester by a feud between him and the greatest of the royal favourites, the Duke of Ireland. It was at the same time reported, if not believed, that the king, now that John of Gaunt was disposed of—at least for a time,—was plotting with his favourites to apprehend the Duke of Gloucester, together with the Earls of Arundel, Warwick, and Derby. The interests of the Arundel family were thus identified with those of the Duke of Gloucester.

On the 1st of October, the parliament met.* All things seemed to be serene. The king went in state, and took his place upon the throne. Michael de la Pole, Earl of Suffolk, as Lord Chancellor, opened the proceedings. So carefully and wisely had the measures of the opposition been devised, that the royal party was taken by surprise when it was notified that the commons were determined to impeach the Earl of Suffolk—this being the second instance in our history of the impeachment of a minister of the crown by the House of Commons.

The king found himself powerless. A large body of troops had been collected when the alarm of an invasion was first excited; but, by mismanagement, they had only excited the feelings of the people of London and its neighbourhood against the court. The army thus collected, consisting of men-at-arms and archers, had been quartered, without discipline, in a circuit of twenty miles round London; and, having received no pay, had done almost as much mischief as could have been committed by an hostile army, if it had succeeded in effecting a landing. When the indignant population adopted

* Rolls, 10 Ric. II. Dugdale Rep. App. iv. 721. Knyghton, 2680.

measures of self-defence, these licensed robbers had been themselves obliged to sell their horses and their arms, and had returned to their several counties. Thus the king was without an army.

Richard, haughty and thoughtless, treated the proceedings of his parliament, at last, with contempt. He declined any further attendance, and retired to Eltham, there to escape from worry; and, amid the dissipations of his court, to show how little he cared for what was done by the opposition.

The weakness of the king was the strength of the parliament. The Duke of Gloucester's party, in the midst of an excited, alarmed, and an exasperated population, were in a condition to make any terms with the king which they might think expedient to propose. The two houses, in consequence, despatched a message to Eltham, demanding the immediate dismissal from office of the chancellor and treasurer. The king, in violent anger, commanded them to proceed in the business for which they had been summoned, and to bring it speedily to a conclusion; adding, with reference to their demand of a change of ministry, that he would not for them, or at their instance, remove the meanest scullion in his kitchen.*

The ministers were as infatuated as their master. The chancellor appeared in his place, and demanded five-fifteenths to be paid in one year, and a tenth from the clergy. The two houses made a dignified answer to these insults on the part of royalty. They had unanimously resolved not to proceed in any business of parliament until the king should return and show himself; and until the king had removed Michael de la Pole from his office. Richard, unwilling to go to parliament, and beginning

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* "Dicens se nolle pro ipsis nec minimum garcionem de coquina sua amovere de officio suo."—Pseudo-Knyghton, 2681.

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to feel some alarm, proposed a conference at Eltham between himself and a committee of the House of Commons. He desired that the committee should consist of forty knights, the wisest and most substantial members of the house, whose decision should be binding on the whole parliament.

This exclusion of the lords gave great offence; and how low the character of the king had sunk in public estimation is proved by the fact, that to the report that the massacre of these forty members was projected, credence was given. The report was, in all probability, without foundation; but it served its purpose, and added to the unpopularity of the king.

It was finally arranged that the Duke of Gloucester himself and the Bishop of Ely should wait upon Richard at Eltham. They were to lay before him the wishes and the determination of both houses. One of these ambassadors represented the lords spiritual, the other the lords temporal; and both together, being elected by the two houses, represented the entire parliament. The royal duke and the prelate bravely undertook the office; and Richard understood that for the safety of their persons he would be responsible to parliament and the country.

The Bishop of Ely was the spokesman; and, after certain complimentary expressions, he proceeded to remark that the king had an undoubted right to summon the two houses of parliament, forming the highest court in the realm, once a year, for the redress of grievances, and to take counsel for the maintenance of the king's estate and the conservation thereof. On the other hand, it was contended that if the king were to absent himself from parliament for forty days, not being sick, the members of the parliament might return to their homes, without granting a subsidy. "Now, sir," he concluded, "you have been absent during a longer space of time, and you still

refuse to come among us, very greatly to the inconvenience of the parliament."

There was a threat, in fact, to stop the supplies. The king had the extreme folly to reply, "It is evident that our people and commons intend to rebel against us; therefore we cannot do better than ask aid of our cousin the French king, and rather submit us unto him than to our subjects."

That such a treasonable notion should even enter into the king's mind was bad enough; but when he gave utterance to the traitorous thought, the forbearance of his insulted people is remarkable. The speech was probably regarded as the mere threat of an angry and ignorant boy, at a time when the country was excited—we will not say alarmed—by a threat of invasion.

The Bishop of Ely remonstrated with the king on his folly; but added, that he and the Duke of Gloucester were further commissioned to remind his highness that, in the event of a king's alienating himself from his people and violating the laws and statutes of the realm, throwing himself headlong into wild designs, it is lawful for his people to depose the king, and to place upon the throne some other member of the royal family. It was hinted significantly, with reference to the fate of Edward II., that very many years had not elapsed since the people of England had shown that this portion of the constitution was something more than a dead letter.*

The king, as was too frequently the case, determined to dissemble, and to yield, for a time, to the will of his parliament. The chancellor was compelled by parlia-

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* I have compared Knyghton (Col. 2681) and Grafton (i. 432) with the Rolls of Parliament, and have moderated between Tyrrell and Brady. The Pseudo-Knyghton and Grafton preserved the tradition of what took place, though we may hesitate to receive their statements as a verbatim report.

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ment to resign, and was impeached; and on the 24th of October his successor was appointed, the great seal being for the first time placed in the hands of Thomas Arundel, Bishop of Ely.

One of the first duties imposed upon the new chancellor was, by order of the parliament, to affix the great seal to a commission empowering the Archbishops of Canterbury and York, the Bishops of Winchester and Ely, the Dukes of York and Gloucester, the Earls of Arundel and Warwick, the Abbot of Waltham and John of Cobham, to receive all the revenues of the crown, and to direct the whole expenditure—to do, in short, as is done in these days by parliament. The great seal was attached to the commission by the king's command.*

Anyone acquainted with the history of the times will see that this commission was a remarkably fair one—persons of different parties being appointed, and the desire evidently being to save the country from impending bankruptcy. Arundel was placed near the king, because he was a man of kind and conciliatory manners. He was indeed a perfect gentleman, except—as was then the usual exception among all men—when his passions were aroused. Although he was a stern man, when the necessities of his position or, as he would have said, his duty required firmness, yet he preferred mild measures, when by mild measures his ends could be obtained.

The ministry during its short tenure of office was a successful one. A grant was obtained from parliament of a tenth and half a fifteenth; three shillings on every ton of wine imported or exported, and one shilling upon every pound's worth of merchandise except wool and wool-fells. The elements also fought in favour of the new government. By the dispersion, through a tempest, of the French fleet, the country was freed from the apprehension of an invasion

* Rot. Claus. 10 Ric. II. m. 35.

from France. On the 24th of March, 1387, the Earl of Arundel, admiral of the English fleet, obtained a splendid naval victory at Sluys, captured a hundred ships, French, Spanish, and Flemish, and proceeded to relieve Brest.

There seems to have been no attempt to coerce the king. He surrounded himself again with his favourites, and plotted for their restoration to power. The conspirators, with the king at their head, endeavoured to raise an army and to pack a parliament. In the latter design they failed, as the sheriffs refused to abet them in their attempts to make forced or false returns. It was believed that the king and his party entered into a plot to murder the Duke of Gloucester and his friends and supporters at an entertainment in London,* and that they had negotiated for aid from France by the surrender of Calais and Cherbourg to Charles VI. When all these measures failed, the king then obtained an opinion from the judges, who pronounced the Commission of Regency to be illegal; and declared all who acted under it to be traitors.

This was, of course, a declaration of war. The confederate lords must either defend themselves by arms, or submit to be executed as traitors. The king, who had retired into Wales, now repaired to London, expecting to triumph over his adversaries; but the confederate lords were prepared to receive him with an army reported to be forty thousand strong. They retorted the charge of treason on the royal favourites; they seized the Tower; they imprisoned or banished their opponents. Robert de Vere, Duke of Ireland, having levied an army in the king's name in Wales, was defeated near Burford by Henry Earl of Derby.

The cause of the appellants, as they were afterwards called, was now complete. They endeavoured to come

* Mon. Evesh. Vita Ric. 75. Walsingham, ii. 161.

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to terms with the king, but his conduct was so insincere and vacillatory that they, more openly than before, threatened him with the loss of his crown, unless he dismissed from his presence the more obnoxious of his favourites. At last it was agreed to refer all differences to the decision of a parliament, to be summoned for the morrow of Candlemas-day, or the 3rd of February.

On that day the parliament was opened by a speech from Arundel, still Bishop of Ely and lord high chancellor. He declared the cause for which they were summoned, namely—

To consider by what means the troubles in the kingdom, for want of good government, might be ended; the king better advised; the realm better governed; misdemeanours more severely punished, and good men better encouraged. How the kingdom might be best defended, the sea best kept, the marches of Scotland best guarded, Gascoigny preserved, and how the charges of these things might be borne with the most ease to the people.

At this parliament, called the “Wonderful Parliament,” the confederate lords carried all their measures. The late ministers—the royal favourites—were appealed, and their accusers were henceforth known as the appellants. They were the Duke of Gloucester, Henry of Bolingbroke Earl of Derby, the Earl of Arundel, the Earl of Warwick, and the Earl of Nottingham.

They were never forgiven by Richard, who determined upon vengeance sooner or later; but he abided his time. He waited till he could take his vengeance without putting himself to any great inconvenience. He submitted at present; and left the government in the hands of his uncle and the council or commission. They acted with vigour; they prosecuted, with partial success, the war in Scotland, and concluded a truce with France. Nevertheless, a reaction soon took place in favour of the king. This was to be attributed, to a considerable extent, to

the vindictive proceedings of the Duke of Gloucester. Having discovered that his own death had been designed by the royal favourites, he would not listen to an appeal to his mercy, when the appeal was made even in behalf of such a man as Sir Simon Burley. The people rejoiced to see the merciless judge, Tresilian, hanging from the gallows to which, without compunction, he had condemned thousands of his fellow-creatures; but the popular sympathy was excited in behalf of Sir Simon Burley, the friend and companion of the Black Prince, the hero on whose memory the public mind delighted to dwell—who had faithfully adhered to his benefactor's son, whose tutor he had also been, and whose subjects they all of them were.*

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In May 1389, Richard once more gave proofs of that determination of character and promptitude which induces us to suppose that if he had been properly educated he might have become a great man, and have done service to his country. Declaring himself now to be of full age, and capable of ministering his affairs, he abruptly and unexpectedly dismissed his council. The appellants, taken by surprise, were too weak to offer resistance; and Richard was not strong enough to take, at present, the vengeance which he determined, nevertheless—and never forgot the determination,—to take upon those among them who had been to him most obnoxious.

Arundel resigned the great seal on the 3rd of May

* The Duke of Gloucester regained his popularity (see Walsingham, ii. 174) when Richard determined upon his destruction. The king endeavoured to excite public feeling against Gloucester by stating that the duke compelled him to assent to Burley's death. It is fair to Gloucester to state that he thought to palliate his severe proceedings at this time by saying, "I did it for dredde of my lyffe,"—the palliation of a man without principle, appealing to persons supposed to be as regardless of principle as himself.

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1389.* We have seen former chancellors contented with their ecclesiastical preferments, and discharging the duties of the office at their own charges. But the times were changed; and to Arundel was assigned for his livery, by virtue of his office, the vills and parishes of Hackney and Leyton. The grant was made on the ground that he had no domains or vills pertaining to his bishopric near London, where his people, family, and horses could be entertained.†

This grant had become convenient, if not necessary, as Ely House had ceased to be the residence of Arundel from the year 1388. He was in that year nominated to the metropolitan see of York. Among the ministers discarded and disgraced in the February of that year was Alexander Neville, Archbishop of York, who was forthwith deprived of his see.

The circumstances were peculiar, and appear to have been as follows:—The Archbishop of York was declared a traitor. The government regarded the see of York by that circumstance as vacant; and to the see thus declared to be vacant Arundel caused himself to be appointed. The Archbishop of Canterbury, Courtenay, severely reprobated his conduct, and censured him, before the bishops and barons assembled in parliament, for accepting the see of York during the lifetime of Neville, and for countenancing the proceedings of parliament against that primate. Arundel met the difficulty by procuring Neville's translation.‡ It will be remembered that, in spite of the Statute

* Rot. Claus. 12 Ric. II. m. 5.

† *Fœdera*, vii. 553. In his second chancellorship, Stebenhyth was assigned to him for the same object. (*Ibid.* 708). Arundel is addressed in the former of these documents "*Carissimi Consanguinei.*" This was probably a mere formula, though it may imply—what seems to have been the case—that Arundel was not one of the most obnoxious of the ministers forced on the king.

‡ *Ibid.* vii. 583.

of Provisors, the pope's right of translation was tacitly admitted, even in England; and the papal authorities were anxious, at all times, to exercise the conceded power. They had, as usual, pushed that power beyond the conceded point; and it was ruled that, to meet the exigencies of the Church Universal, the pope might, at his own will and pleasure, and without consulting the wishes and conscience of the party more immediately concerned, remove a bishop from one see to another.

The ultramontane notion was creeping in, that the episcopate was only a department of the papacy. To the pope, therefore, assuming these powers, application was made by the government, and Alexander Neville was translated from York to the bishopric of St. Andrews. The whole proceeding was a farce; for, supposing the Scotch to admit the pope's right to impose a bishop upon them, yet Urban VI. was not their pope. Their pope was the other pope, Clement VII. The measure, however, sufficed to silence such objectors as Archbishop Courtenay, and on the 14th of September Arundel received his pall. Of his conduct as Archbishop of York, the details are reserved for a future occasion; all that we have to do here is to state, that he again displayed that munificence for which he was at all times conspicuous. He spent large sums of money on the houses and manors of the see, and gave to the church some valuable pieces of plate.*

Arundel had made a favourable impression on the mind of good Queen Anne; and if he was not her confessor, he was consulted by her as a spiritual adviser. When, in 1394, to the irreparable loss of the country and the ruin of the king, the good queen died, Archbishop Arundel preached her funeral sermon. In his commendation of her he remarked that, although she was an alien born, she had

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studied the Scriptures in English. In English she read the four Gospels, together with the commentaries thereon written by the great doctors of the Church. He affirmed also and testified that, previously to her study of the commentaries, she had sent them to him that he might certify to their orthodoxy. Opposed as Arundel was to Wiclif and his proceedings, he is sometimes accused of inconsistency in thus praising the queen for the study of the Bible; but there is no real inconsistency in the case, if we take the trouble to consider his position. What he was opposed to was, not the study of the sacred writings, but the indiscriminate circulation of Wiclif's translation of the Vulgate, without those commentaries of the doctors to which the good Queen Anne deferred. Arundel may have erred, but his error was not that of inconsistency.

The ministry of William of Wykeham, which had succeeded to the ministry of the Duke of Gloucester, though short, was successful and brilliant. The king was persuaded by the Bishop of Winchester not to prosecute the opposition lords, though in his heart he never forgave them; and, as a proof that it was not to oppress the people that he had taken the government into his own hands, he yielded to the bishop's advice that he should suspend the payment of the subsidies voted in the late parliament. The Bishop of Winchester immediately adopted measures for placing the foreign relations of the country on a firmer basis; and, in opening the parliament of January 1389-90, he declared it to be the desire of the king to concede to all parties the liberties, franchises, and privileges they had enjoyed under his progenitors; he stated, also, the royal desire to cooperate with his parliament in the redress of grievances.* He obtained a vote of confidence, and associated with his government the Duke of Gloucester himself. A reconciliation between the

* Rot. Parl. 13 Ric. II.

king and his uncle had been effected through the good offices of John of Gaunt, Duke of Lancaster, who, after an absence of three years, had now returned from his Spanish expedition.

In the following November, William of Wykeham was able to state to parliament that a truce had been concluded between England and France, and that measures were in progress to convert the truce into a lasting peace. He laid before parliament the charges and expenses, which must necessarily be incurred for the defence of the country against the Scots, for the maintenance of Ireland, and for the protection of the English possessions in France. He not only obtained all he asked for, but the parliament, before it broke up, again applauded his ministry by a vote of thanks to the king for his good government, and for the zeal he had displayed in promoting the welfare of his people.* A Wykehamist may be permitted to record with satisfaction the successful termination of the political life of one among the greatest of the many great men of whom mediæval England may be justly proud. William of Wykeham—who, in taking office, had only yielded to the royal entreaties,—having succeeded in restoring the public tranquillity, felt at liberty once more to retire into private life, and the great seal was for a second time confided to Arundel, on the 27th of September, 1391.†

Although Arundel became afterwards popular with the Londoners, and was, during the revolution, the channel of communication between them and the Duke of Hereford, yet there arose a misunderstanding between them in 1392, of which I find the following memorandum in the "London Chronicler":—

In this yere the courtes were remeved and withdrawe fro London to York fro the feste of the nativite of seynt John Baptist

* Rot. Parl. 14 Ric. II.

† Mon. Evesham. Walsingham. Rot. Claus. 15 Ric. II. m. 34.

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unto Cristemasse folwyng; and all this disese above seyde was for this cause. In this yere Thomas Arundell erchebyssop of York was thanne chaunceler of Engelond, and Waltham bysshop of Salesbury was thanne tresorer of Engelond; the serwauntes of whiche tresorer arrered a grete debate in Fletestrete ayens men of the towne for an hors loof, for whiche the tresorer pleynd upon the citee to the kyng, and wykkedly enformed the kyng; thorough whiche enformacion and procurment of the chaunceler, the kyng sesed the fraunchise and the liberte of London into hys hond: and the kyng hadde of London X m^l lib' or he wolde be plesyd.*

The grievance was not perhaps so great as it may at first sight appear; and it is ascribed, in all probability, to a wrong cause. The chancery business must of necessity follow the chancellor. Out of term time the Court of Chancery at the present time follows the lord chancellor, or the vice-chancellor, who acts as vacation judge.

We have again to lament the difficulty of obtaining a clear view of the next five years, during which Arundel acted as minister of the crown; having to all appearance, during at least part of that time, by his conciliatory manners regained the good opinion of the king. In the year 1394, he accompanied the king to Ireland; and in 1396 he was translated to the see of Canterbury, vacant by the death of Archbishop Courtenay. The bull of translation was published on the 11th of January 1397. The crozier was presented to him with great ceremony in Westminster Abbey by Thomas Chillenden, Prior of Christchurch, Canterbury, in the presence of the king and the chief nobles of the land. On the 10th of February the new archbishop received the pall from the hands of William of Wykeham, Bishop of Winchester. On the 19th he was enthroned with great pomp, the king himself being pre-

* Chronicle of London, ad. ann. 1392.

sent at the ceremony.* He had resigned the great seal on the 27th of September.†

This is the first instance of a translation from the see of York to the see of Canterbury. Six times has such a translation occurred. It is for a future historian to record the unanimity with which the last translation was received as a blessing to the Church, at a period when our Church was as much divided by the unchristian violence of contending factions as it was in the fifteenth century.

In what we have related, we find a good understanding to have existed, at least apparently, between the Archbishop of York and the king. The king would probably have selected some one else for the office of Primate of All England, if he had been free to act, when the see of Canterbury was vacant by the death of Courtenay. But he had an object to carry, in the furtherance of which he was willing to give his consent to Arundel's promotion. Richard had determined upon a family alliance with France. His treasonable object was, almost avowedly, to obtain assistance from the French king against his own subjects, if he should require it. It was rumoured that he had offered to deliver up Calais and Cherbourg to Charles VI. He had actually renounced the claim to the crown of France made by the descendants of Isabella. He now proposed to share his throne with a child.

The indignation of the people, who saw his object, could be repressed by the bodyguard of the king, itself a little army. But all would be in vain unless he could procure the acquiescence of the magnates of the

* "Rege præsentē cum maxima gloria fuit enthronizatus."—Thorn, 2198.

† Rot. Claus. 20 Ric. II. p. i. m. 22.

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realm. He purchased the silence of John of Gaunt by offering to legitimatise his children by Catherine Sanford. The Duke of Gloucester's acquiescence in the match was obtained by large bribes accepted from the two kings. The Duke of Gloucester could not, however, throw over the Arundels, and the Arundels were to be won by the appointment of Thomas to the primacy. The Archbishop of York was also backed by the pope. A papal dispensation for the marriage was required; for the royal bride and bridegroom elect were related in the third or fourth degree of consanguinity. Boniface IX. appointed Arundel to be his legate, and to convey the dispensation, with full powers to withhold it if he thought fit. To conciliate Arundel was, therefore, necessary. The king not only consented to his translation, but—always ready to do an unpleasant thing with a good grace—he was present at the enthronisation.

The new archbishop fulfilled his part of the agreement with equal cordiality. He sailed with the king from Dover to Calais on the 27th of September; and was present at the conference which took place between the kings of England and France, between Guisnes and Ardres, on the 27th and 28th of October, when Isabel was delivered to Richard. Archbishop Arundel officiated at the marriage, which took place on the 1st of November, at Calais; as he did at her coronation, which took place on the 7th of January, in Westminster Abbey.*

The king, notwithstanding these measures, was quietly and secretly, but with dogged determination, plotting measures to render himself independent of parliament, and to revenge himself on the Gloucester party. With a precaution not usual with him, he had procured a parliament which would acquiesce in every proposal he

* *Fœdera*, vii. 811, 817, 820, 836, 844, 846.

might make to it. This was done through a judicious selection of sheriffs, who were prepared to falsify the returns when necessary. Bribed by the offer of having his natural children legitimatised, John of Gaunt was a firm supporter of the court and its measures. The weak and vacillating Duke of York was easily persuaded by his brother of Lancaster to support their nephew, not only in measures adopted for the extinction of the liberties of their country, but even in those which were designed for the destruction of the Duke of Gloucester.* These royal dukes, and all among the barons who co-operated with them, were required to support the king by appearing at the parliament summoned for the autumn of 1397, each with a body of troops sufficient to overpower all opposition.

It was afterwards reported, that the archbishop was at this time, in conjunction with his brother, the Earl of Arundel, concerned in a conspiracy which, under the direction of the Duke of Gloucester, had for its object the deposition of the king. By modern historians no credence is given to this story.† It is plainly contradicted by the fact that, when charges were brought against the duke, the earl, and the archbishop, at a time when everything that could be said to their disparagement was produced, there is no allusion to this conspiracy, which is alleged to have been concocted at Arundel Castle.‡ All the circumstances with which we are

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* From the proclamation issued on the 15th of July 1397, we find that Henry of Bolingbroke, Earl of Derby, acted with his father against the Duke of Gloucester and for the king. He had thus changed his party; but he was not forgiven, as he afterwards found.

† Lingard, iv. 325. Turner, ii. 239.

‡ The story of the alleged conspiracy is to be found in Froissart, ii. c. 22; Hollinshed, ii. 836; and in Gaillard's account and extracts from MSS. in the library of the King of France, ii. 205.

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acquainted confirm us in the suspicion, that this was an invention to justify the outrageous conduct of the king, after he had put the Earl of Arundel to death, and when the murdered nobleman was regarded by the populace as a martyr, at whose grave the people expected miracles to be performed.

The king himself had certainly conspired. At a secret meeting of his friends and favourites, held in the castle of Nottingham, it was arranged that the Duke of Gloucester, the Earl of Arundel, the Earl of Warwick, and the Archbishop of Canterbury should be accused in parliament of high treason. The question was, how to obtain possession of their persons. Richard proceeded with his usual craft, and with that kind of cunning which little minds mistake for wisdom. He permitted the unsuspecting Earl of Warwick to be honoured with an invitation to meet him at dinner at the lord chancellor's—the Bishop of Exeter* being chancellor at the time. The Bishop of Exeter's residence was near Temple Bar; and there, when the dinner was drawing to a close, the earl

* Edmund de Stafford was the Bishop of Exeter. He was the son of Sir Richard de Stafford, and was nephew of the Earl of Stafford. He was educated at "Stapylton Halle, vulgariter nominata Exon," at Oxford. He was a Doctor of Laws, and had a stall in York, and was consecrated to the see of Exeter on the 20th of June 1395. According to Austin, it is said that at his consecration he assigned the pension of five marks to a clerk named by the Crown until he could collate to a suitable living. On the 23rd of October 1396 he was appointed Lord Chancellor, and continued in office till the king's deposition. Though loyal to Richard, he gave in his adhesion to the Revolution when it was accomplished, and was received into favour by Henry IV., who in 1401 gave him the Great Seal, which he retained for nearly two years. He retired to his diocese in 1403. He was eminent for his devotion, and for the zeal with which he discharged his duty, as is attested by two folio volumes still existing of his registers. He died at Bishop's Clist, on the 3rd September 1419. His benefactions to his diocese and college were many and great.—Fuller's Worthies. Oliver.

was apprehended and conveyed to the Tower.* The king's conduct towards the Duke of Gloucester was more atrocious still.† But worst of all was his treatment of the archbishop, who was made the instrument for the destruction of a brother whom he dearly loved.

Richard Earl of Arundel had for some time retired from public life. He had even obtained a particular exemption from all attendance in parliament; and, in order that he might enjoy his retirement without fear of further molestation, he solicited and received, in 1394, an especial pardon of all his political offences.‡ He was even received into favour at court, as we find him engaged in a hunting-party with the king at Leicester.§

At his castle of Arundel, surrounded by his retainers and tenants, he was safe. How was Richard to obtain possession of his person without sending his troops to attack him? This was the question. He invited him to court. When the earl declined, the king required the archbishop to second his request for an interview. The archbishop, warned by what was going on around him, and knowing the insincerity of the king's character, demurred. What security was there for his brother's safety? The king took a solemn oath that the Earl of Arundel should come and go in perfect safety and unharmed. The archbishop yielded. The aged earl, the hero who

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* Rot. Parl. iii. 435.

† The circumstances of his arrest are narrated by Froissart, iv. 86. The treachery and heartlessness, the vindictive malice so long cherished, and the utter disregard of his word displayed by Richard, render it difficult to pity him under his subsequent misfortunes, the consequence, to a great extent, of his conduct at this time.

‡ Rot. Parl. iii. 313, 311; Pet. 17, Rec. 2, p. 2, m. 16. He had made some charges against the Duke of Lancaster in 1394, for which he publicly apologised.—Pet. 17, Rec. 2, m. 15.

§ Knyghton, 2737.

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had won the only victory of the reign, arrived at Lambeth on the 11th of July. The brothers, in perfect reliance on the king's word—his oath—passed the evening, the last they were ever to pass together, in friendly conversation. The next morning, the 12th, they crossed in the archbishop's barge to Westminster. The earl was received immediately into the royal presence. The archbishop waited for his return from morning till noon—from noon to night: he then was rowed back to Lambeth. After a sleepless night he was told the next morning, that as soon as his brother appeared before the king, the latter, in an angry tone of voice, said to the Earl of Nottingham, then in waiting, "Take away that Earl of Arundel!" and straightway left the room. The Earl of Nottingham hurried Arundel into another chamber, and locked the door. In the night he was conveyed to the Tower.

The archbishop still had hope, and determined to act with caution. But he was an altered man—a deep determination of revenge rankled in his heart.* As the 17th of September approached, it was perceived that some great movement was contemplated. So many were the armed attendants upon the lords and great men who repaired to Westminster, that London itself could not accommodate them. The surrounding villages, for ten or twelve miles around, were filled with troops, who, being engaged in the king's service, had free quarters, and helped themselves,

* Gower's Tripartite Chron. Pol. Songs, 427. "Qualiter rex, qui per mille meandros procerum corda exagitans inquietavit Ricardum comitem Arundellie, qui dicitur equus, fraudulentem decepit. Erat enim tunc frater dicti comitis Thomas Cantuarie Archiepiscopus, cui rex sub juramento fidem prestitit quod, si dictus comes ad sui regis presentiam obediens sponte veniret, liber ex tunc absque calumnia ubicumque transire vellet cum firma regis amicitia fiducialiter permaneret: et sic veniens probus comes ab improbe rege decipitur."—Rot. Parl. iii. 425; Walsingham, 354; Gower, 430; Hollinshed, 49.

unresisted, to whatever they thought fit to demand.* Between the clocktower and the entrance of Westminster Hall, in what is now called Palace Yard, a temporary building was erected for the meeting of parliament. It was a building made of timber, was covered on the top with tiles, and was open at both ends, at which were posted the military. These, at a signal given, could act without impediment, if force should be found necessary to enable the king to effect his *coup d'état*. The chancellor was Edmund de Stafford Bishop of Exeter, of whom we have spoken. He was supported by John of Gaunt (styled Duke of Aquitaine and Lancaster),† and the Duke of York, the king's uncles. The commons chose John Bussey, the king's favourite, to be their speaker.

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In this parliament‡ a remarkable and anomalous pro-

* Pol. Songs, i. 427.

† I always give to John of Gaunt, titular King of Castile and Leon, his English title, as that by which he is best known. From the year 1389 his titles were "John, the son of the King of England, Duke of Guienne (or Aquitaine) and Lancaster, Earl of Derby, Lincoln, and Leicester, and Steward of England." Cotton, 343. He was created Duke of Lancaster on the 13th of November 1362, and Duke of Aquitaine for life (in parliament), 2nd March 1389. The title of duke originated with Edward III. Richard II. introduced the rank of marquis by patent, and also created a baron by letters-patent, being the first creation of the dignity of a baron by patent. Henry VI. instituted the title of viscount.—Selden, 680. Dugdale, 54.

‡ There is an amusing account given of this parliament by a contemporary song-writer in a very curious alliterative poem. They were a little body of patriots prepared to resist the court, but they formed a small minority :—

"Some sat like a cipher in arithmetic, which makes a place but avails nothing. Some had supped with Simon the night before. Some were titulars, and gave private information to the king of such as were opposed to him. Some slumbered on the benches and said little. Others 'muffled with the mouth,' but knew not what they meant. Some were bribed, and acted under the orders of those who had bought them; while others looked solemn, but seemed not to know why.

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ceeding took place. The commons stated, that as several judgments and ordinances made in parliament at the time of the king's progenitors had been repealed and annulled, because the estate of the clergy was not then present in parliament, they therefore prayed that the prelates and clergy should make a procurator, with sufficient power to consent, in their name, to all things and ordinances in parliament; and the lords spiritual were requested to give their opinion and advice upon the subject. The result was that the spiritual lords consented to commit their full power to a layman—"a lay persone"—stating, in the name of the archbishops and prelates and clergy of both provinces, (who, by right of their churches and temporalities, had a right to be present in all parliaments, to treat and despatch there for the state and honour of the king, &c.), that they committed full power to Sir Thomas de Perry, Knight, so that whatsoever should be done by him in the premises should be received at all future times.*

Some were so fierce at the first start, that they appeared to have put on all sail to catch the wind, but they soon pulled down their sail when the storm set in. Some had been beforehand tampered with by the council, and knew well enough how it would end, or some of the assembly should repent of it. Some held with the majority, however it went; and others talked pertly, but they had more in view the coin which the king was to give them than the interests of their constituents, and were promised handsell of the silver which was to be given to the king."—Pol. Songs. This is a version in modern English of the metrical song, to be found, i. 414.

* Perry, Parliaments and Council of England, 157. The constitution of parliament was not as yet fully established. The proceedings on this occasion are considered by some writers as opposed to the pretensions of the clergy, who assumed the right, as an estate of the realm, to have a negative on the proceedings of parliament, as parliament now has on the proceedings of convocation. But, on the principle *qui facit per alium facit per se*, it rather appears that, on this occasion, they conceded the right. The reason for this anomalous proceeding is obvious. Richard had determined on taking vengeance on his opponents, and,

The parliament was opened by a speech of the chancellor, the Bishop of Exeter, in favour of arbitrary power. The statute and commission made in the parliament of October 1386 were annulled, and the pardons granted to the Duke of Gloucester and the Earls of Arundel and Warwick were repealed.

The excitement out of doors was, during these proceedings, so great, that the king's bodyguard, consisting chiefly of Chester men, surrounded the house of parliament, their bows bent, and the strings drawn to their ears, ready, at the first word of command, to shoot.* Such was the popularity of the Earl of Arundel, that, to the last, a disturbance was feared. The king, meantime, knew that he had made the archbishop his mortal enemy, and his proceedings against him were characteristic.

On the third day of the session the Archbishop of Canterbury was at his place in the House of Lords. It was a full parliament. Richard attended, surrounded by

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according to the canons, the clergy could not be present in any judgment of blood. As is often the case with tyrants, Richard desired to observe all the forms of the Constitution which he had determined to violate, and devised this mode of obtaining the clerical sanction, which was readily given, as it admitted their constitutional right to do what they were canonically restrained from doing. Sir T. Perry was a judge, removable at the king's pleasure, and a north-countryman, where Richard was to the last in favour. I find procurators of the clergy are mentioned in the "Modus tenendi Parliamentum," under the head "De quinque Clericis," 17; and also under the head "De Gradibus Parium," 25. Edit. Hardy.

* "Ad pugnam arcubus tensis, sagittas ad aures trahentes."—Walsingham, 354. They were in attendance at the earl's execution. "Præcessit eum et sequebatur satis ferialis turba Cestrensiū armata securibus, gladiis, arcubus et sagittis." This bodyguard (multos malefactores de comitatu Cestriæ) was so disorderly, and robbed the people so unmercifully, that to their conduct we may trace, in part, the hostility of the Londoners to Richard.

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all the splendour of royalty. The commons were announced, headed by their speaker, the king's friend, Bussey. They made protestation that, besides the usual business of the session, it was their interest and will, with the king's permission, to make inquiry into the conduct of certain high personages in the State, and from time to time to accuse and impeach them during the present parliament. The king commanded that their protestation should be entered as a record on the rolls.

The House of Lords then proceeded to business. The king took his place in the centre of the king's bench—the Archbishop of Canterbury on his right hand, the Archbishop of York on his left.* On the king's right, at his feet, sat the chancellor and the chief justice of England, with their clerks; on his left hand the treasurer, the chamberlain, the barons of the exchequer, and the justices of the bench, with their attendants. The lords spiritual and temporal were in their respective places. The people witnessed the proceedings from the end of the long building. They saw the king conversing familiarly with the archbishop. He was only interrupted by the re-appearance of the commons. The confusion occasioned by their entrance was scarcely over, when the voice of the speaker was heard:

In the name of the Commons of England I accuse and impeach Thomas Archbishop of Canterbury of high treason, for that he, being the chief officer of the king, his chancellor, when he was Bishop of Ely, was traitorously aiding, procuring, and advising in making a commission, directed to Thomas Duke of Gloucester, Richard Earl of Arundel, and others, in the tenth year of his

* "Primo, ut prædictum est, rex sedebit in medio loco majoris Banci, et ex parte ejus dextra Archiepiscopus Cantuariensis, et ex parte ejus sinistra Archiepiscopus Eboræ."—Modus tenendi Parliamentum. Ed. Hardy, 37.

Majesty's reign; and made and procured himself, as chief officer, to be put into it, to have power with the other commissioners to see it put in execution; which commission was made in prejudice to the king, and openly against his royalty, crown, and dignity; and that the said Thomas actually put the said commission in execution.

Also that the said archbishop, in the eleventh year of the king, procured and advised the Duke of Gloucester, with the Earls of Warwick and Arundel, to take upon them royal power, and to arrest the king's liege subjects, viz. Simon Burley and James Berners, knights, and adjudge them to death, contrary to the king's will and without his consent.

The speaker concluded by praying that the said archbishop should be put into safe custody.

Arundel, though taken by surprise, immediately rose to answer. He was a ready and an eloquent man. His defence would have been an easy one. Nine years had elapsed since the offences charged against him had been committed. He had not only received the king's pardon, but had actually been employed, during five out of the nine years, as his chancellor. He might also have assailed the king himself; and especially he might have revealed the iniquity of Richard, in employing the archbishop to decoy his brother the earl to the court, where the perjured king made him prisoner. A more full acquittal the archbishop himself could not, however, have obtained, than that which is produced by the fact that, during the five years of his tenure of office as chancellor, nothing could be laid to his charge, though his unscrupulous enemies had searched diligently for grounds upon which to rest an accusation against him. When he resigned the seal in 1396, it was not from any breach with the king, but because his appointment to the primacy had involved him in ecclesiastical business, which demanded all his time and attention.

Richard was quite aware of this; and quite aware he

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also was that the designs which had been formed for the annihilation of the Duke of Gloucester's party could not be carried into effect, with impunity, so long as the archbishop remained in England. The king therefore, with the gracious manner he could assume even when his purposes were hostile and even deadly, assured the archbishop of his friendship and protection. With a friendly smile upon his face, he advised him, in a whisper, to defer his defence to another opportunity, when he might be heard with less impatience by the exasperated commons. The archbishop hesitated to follow this advice, but Richard was urgent, and prevailed.

The king then himself addressed the commons. He stated that, as the accusation was brought against so great a personage, and the impeachment lay against a peer of the realm, he would be advised before he decided upon the line of conduct to be pursued. The commons withdrew. The archbishop, though not actually committed to prison, was under surveillance in his own house. Lambeth was sufficiently near to enable the king to visit him; while the troops were careful to prevent anyone from landing at the steps, who might convey intelligence to the primate of what was transacted in parliament.

Richard, as was usual with him, would have preferred carrying his point by artifice, and wished to persuade the archbishop to expatriate himself. According to the archbishop's own statement, "The said king did, from day to day, for five days or more, fraudulently and treacherously deceive the said archbishop, counselling and persuading him that he should not come to parliament, but wait at home without fear."

At length it became known that, on the very day of his impeachment, Arundel was found guilty of treason; the sentence pronounced upon him being that of banish-

ment, with the confiscation of all his temporalities, goods, and chattels to the king.

When this could be no longer concealed from the archbishop, the king, with his accustomed love of falsehood, attempted to vindicate his conduct, and to clear himself from blame. The rest shall be narrated in the archbishop's own words; the following forming part of the charge brought against Richard when his deposition was proposed to parliament:—

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The king (it is said) being willing to palliate his malice and subtilty by flattering discourses, which he oftentimes had with the said archbishop, did endeavour to clear himself of such injury done, and make as if it were the doings of others: insomuch that the archbishop, discoursing with the king and with the Duke of Norfolk, and other lords and great men of the kingdom, happened to say, by way of lamenting his own condition, that he was not the first that had suffered banishment, nor should be the last, for he thought in a short time the Duke of Norfolk and other lords would follow him, and confidently averred to the king that all the rigour of these proceedings would finally be returned back on his own head. To which the said king, as astonished, hastily replied, that he verily thought it might so happen; and that he himself might and indeed ought to be expelled his kingdom by his liege people. And further the said king said, that if the same should happen, he would convey himself to the same place where the said archbishop should be. And that the archbishop might the rather credit his words, he showed him a certain great jewel, curiously formed, underneath the skirt of his outward vestment, intimating for certain, to the said archbishop, that whenever he should send that jewel for a token, he would not delay to come thither where the said archbishop should be resident. And that the said archbishop might more confide in him, the said king sent to him, advising him that he should privately send all his jewels, and other things of value belonging to his chapel, unto him the said king for the safe keeping thereof, lest by colour of the before-mentioned judgment anyone should wrongfully seize the same; which,

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under the greatest confidence in the world, being done, the said king caused him to reposit the said goods in certain coffers, and the said coffers to be locked up and sealed by one of the archbishop's clerks; and keeping the said coffers by him, returned the keys thereof by the said clerk to the archbishop: yet afterwards, unknown to the said archbishop, caused the said coffers to be broken open, and disposed of the goods therein at his will and pleasure. Furthermore, the said king faithfully promised the said archbishop, that if he would but repair to the port of Hampton, in order to go out of the realm, he would at last, by the intercession of the queen, get him recalled; and if it should happen that he the said archbishop should go out of the realm, he should without fail return into England before Easter next following, nor should in any kind lose his archbishoprick. And this he faithfully promised, swearing upon the cross of the late Martyr St. Thomas, Archbishop of Canterbury, by him the said king corporally touched.*

When the king came to Lambeth, to take leave of the primate, Arundel remonstrated with him long and forcibly on the dissipations of the court.†

The king did not succeed in persuading the archbishop to go into voluntary banishment; and therefore, having lost all patience, he issued his orders, that within six weeks from the eve of St. Michael, the archbishop was to depart the realm; he was to pass from Dover to France, all the temporalities of the see being forfeited to the crown.

It was not till Arundel had left the country, that he was aware of all that had occurred during his imprisonment. He was then informed that, on the very day on which his impeachment was brought up by the commons, the king had commanded it to be recorded in parliament that the archbishop had been before him, in the presence

* Parliamentary History, i. 26. These form part of the charges brought against King Richard as the grounds of voting his deposition.

† Contin. Eulog. 377.

of certain lords, and confessed that he was mistaken and erred in the exercise of the commission, and therefore put himself on the king's grace and mercy. It was on the strength of this alleged confession that sentence was given against the archbishop.*

It is subsequently stated that the revolutionary party did not at first intend to depose the king. But what alienated Arundel for ever from Richard was the treatment of his brother, at the very time when the archbishop himself was subjected to the cajolery of the king.

On the day after the archbishop's removal from parliament, the Earl of Arundel, in the custody of Sir Ralph Neville, the constable of the Tower, was conducted to Westminster. He was subjected to the same accusation as his brother, but defended himself eloquently, and pleaded the royal pardon that had been granted to himself and to the others concerned in the formation of the regency. He was, nevertheless, condemned. He was hurried instantly to Tower Hill: there he was beheaded, to the great indignation of the people. To the excitement of the Londoners, and the decided favour they from this time showed to the archbishop, as the much-loved brother of the popular earl, we may attribute the anxiety of the king to get the archbishop out of the country without causing a disturbance.†

* Gower, in the Tripartite Hist., thus speaks of the fact:—

“Insuper et, quod detestabile fuit, idem crudelissimus rex reverendum in Christo patrem Thomam Arundellie, tunc Cantuarie Archiepiscopum, de sede sua penitus expulit, ipsumque pro perpetuo in exilium delegari crudelissime constituit.”—Pol. Songs, i. 425.

† That Richard was conscience-stricken and alarmed at this time at the symptoms exhibited of popular disapprobation is clear. The Earl of Arundel was buried in the church of the Augustinian Friars in Broad Street. Thither the people flocked, to offer to him the honours of martyrdom. The report was propagated that miracles were, through his intercession, wrought at his tomb. They went so far

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When the archbishop arrived in France, he was apprised of the death of the Duke of Gloucester, who had been exiled to Calais. The duke arrived at Calais in good health, but was soon after a dead man: the report was that he had been smothered.

The exile of the archbishop is thus narrated by the Poet Gower, who, with the single exception of Chaucer, was the most distinguished poet of his age:—

Anglorum primas, supremo culmine primas
Qui tenuit sedes melius dum sperat in ædes,
Hunc rex compellit, et eum de sede repellit,
Dum Simon Romæ supplantat fœdera Thomæ
Hic Thomas natus comitis fuit intitulatus,
Clericus aptatus, doctor de jure creatus,*
Legibus ornatus, facundus, morigeratus,
Cum Christo gratus, in plebeque magnificatus.
O quam prælatus! tam purus et immaculatus!
Ad regale latus tandem fuit illaqueatus.
Tramite subtili latitans plus vulpe senili,
Rex studet in fine Thomam prostrare ruina.†

Arundel, on reaching the Continent, started immediately for Rome. The journey was attended with considerable danger; he was attacked and nearly murdered. This was done, it was reported, by the procurement of the king, who was at this time staining his hands with blood. What gives some shadow of support to the suspicion is, that the king is said to have sent a message to the pope,

as to say, that God had determined to manifest the injustice of his persecution, and that his head had been miraculously reunited to his body. On the tenth day after his burial the king sent a party of his own friends to the church, with instructions to open the grave and to examine the state of the body. Of course no extraordinary appearance was discernible; but, as a precautionary measure, the tomb was destroyed and the remains removed.—Tierney, 264; Walsingham, 354; W. Wyrest, 444.

* Pol. Songs, i. 434.

† This is contradicted by Wood.

Boniface IX., informing him that Arundel was dead, and proposing Walden as his successor: he evidently had anticipated the success of the projected deed of blood. Arundel was received by Peter Tomacelli, the pope, with an amount of sympathy and kindness which gratified him much. When, however, the king heard that his enemy had arrived in safety at Rome, and had been received with all the honours due to his rank and station, he immediately wrote to Boniface thus :*—

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Thomas, for his treasonable conspiracy against our crown and royal majesty, has been sentenced only to perpetual banishment, whereas, had he been dealt with answerably to his demerits, he ought to have suffered the punishment of high treason; but in consideration of his character, and out of regard to religion, we have thought fit to grant him his life and abated the rigour of the law. But since his going beyond sea, both ourself and our subjects are much surprised at the turn of his fortune: for we are informed that he has been invited to your holiness's court, countenanced in his misbehaviour, taken into your protection, and put in hopes of recovering his see, or at least of being promoted in our kingdom to benefices of greater value than those he enjoyed before. How destructive such unaccountable favours as these must be to our dignity and government, and to what apparent danger it may expose us, is easy to imagine: for which reason we are resolved not to bear with such treatment, though the whole world were of a different opinion. For we are thoroughly acquainted with this man (*ad medullas*): we know him to be of a turbulent seditious temper, who, if he were permitted to live in our dominions, would return to his old practices, poison our subjects with misreporting the administration, and endeavour to undermine our government; for it is probable he would use sufficient precaution not to fall under the lash of the law. We

* I have given this narrative from a careful comparison of the various statements in the "Continuatio Eulogii," the Parliamentary Rolls, the Arundel Register, Froissart, the assertions made by Arundel himself in the Articles relating to the king's deposition, and Gower's "Tripartite History."

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desire therefore that your holiness would prevent these occasions of mischief, and not shock our interests and inclinations by such favours; for should such measures be put in execution, it is possible they might create such misunderstandings between the crown and the mitre as it might prove difficult to remove. For, to speak plain, we cannot take that person for our friend who caresses our enemies, and takes them by the hand in so loving a manner. However, if you have a mind to provide for him otherwise, we have nothing to object, only we cannot allow him to dip in our dish. We heartily desire that you would take the matter into serious consideration, as you tender our royal regards, and expect a compliance with any future request your holiness may make to us.*

To offend the King of England was more than the Pope of only a moiety of Western Christendom could venture to do,—especially a king whose power was at present so great, that he could banish or condemn to death the greatest men of his realm if they ventured to dispute his will or if they incurred his suspicions. The real weakness of Richard's government was not known at Rome. It was also with satisfaction, that the Roman Court received a request from Richard to act in defiance of the statute against provisors, and, without consulting the chapter of Canterbury, to appoint a new primate by provision. How was this, however, to be done without displaying an act of wilful despotism, which would have involved Boniface in the same disgrace as that which now attached to the name of Richard? It could only be done by treating Arundel in the same way as his predecessor Neville had been treated. There was a kind of poetical justice in the proceeding. Arundel could not justly complain, since the principle asserted in his case had in the case of Neville, in spite of the remonstrances of Archbishop Courtenay, received his sanction. The pope translated Arundel to St. Andrews.

* *Fœdera ad an. 1399.*

It was a mere form, for the authority of Boniface was not admitted in Scotland, even if under any circumstances such an exercise of it would have been tolerated. However, he declared Archbishop Arundel to be Bishop of St. Andrews; and the throne of Canterbury being vacant, he obeyed the will of the king, and by a bull of provision appointed Roger Walden to the vacant see. As Arundel did not resent the proceeding, it is very clear that there was an understanding between him and Boniface. The archbishop denied the validity of the translation, since his own consent had not been obtained to it; and the pope promised—a promise which he afterwards fulfilled—to treat Walden, notwithstanding his appointment, as a usurper, if the party of Arundel should ever succeed in establishing itself in power.

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Arundel could no longer remain in Rome. He retired therefore to Florence, where the countryman of Sir John Hawksworth was secure of a welcome. It shows the versatility of Arundel's mind, that he could thoroughly enjoy "that city of flowers and flower of cities," as appears from a letter which he wrote to his chapter at Canterbury, by whom he had been addressed in terms of condolence and indignation:—

"The letter of Thomas Arundel, archbishop, sent to the convent of Canterbury, and signed by his own hand in that earthly paradise near Florence, when an exile.

"When I arrived at the Court of Rome I was received with more favour by the Chief Pontiff and the Sacred College of Cardinals than I ventured to expect or hope. Among other things the Pope was pleased to say that nothing ever caused him so much regret, since the day of his appointment to the present hour, as what he had been obliged to do in my case. With respect to my affairs, however, I hope that things will soon turn out better than my enemies suppose."*

The first object now in Arundel's mind was to revenge

* Ex. Arch. Eccles. Cant.

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his brother's death, and the treatment he had himself received, by humbling the pride, in some way not yet suggested to his mind, of the despotic king who had sent him into exile; and, at the same time, to rescue his country from the disgrace and misery in which she was involved by the folly of those young men whom alone King Richard would consult. He would abide his time and watch the progress of events. The news soon arrived of the unaccountable conduct of Richard to Henry of Bolingbroke, the Duke of Hereford. Arundel at once perceived that this gave him all he required,—a leader.

We are accustomed to consider Henry IV. as a morose suspicious monarch, with nothing loveable in his character. Such he became because he had a conscience, though to the dictates of that conscience he too often turned a deaf ear. That conscience would, however, speak: and the conscience-stricken man, though as a monarch called upon to meet difficulties, which abilities less than those which he displayed could not have overcome, soon after he came to the throne, gave evidence of what he suffered by his declining health, which brought him to an early grave. But such was not the Henry Bolingbroke—young, thoughtless, loving his ease, but full of life and energy when called into action,—who at this time presented himself to the mind of Arundel. They were connected by family ties. Henry's mother Blanch, the wife of John of Gaunt, was the granddaughter of the archbishop's grandfather, through his mother's elder brother—consequently the archbishop and Bolingbroke were first-cousins: in addition to which Henry's first wife was a Bohun. The archbishop might easily, therefore, approach him, united as they also were in a common calamity; and he felt little doubt that he would be able to stir up in his breast the same fire of revenge which was kindled within his own, if he could only effect a personal

interview. This was difficult, as Richard, with more than his usual sagacity, had foreseen the course which the archbishop was likely to pursue, and made Bolingbroke swear that with Arundel he would have no communion. But an oath in that age did not count for much.

The news soon after came of the death of "time-honoured Lancaster," at the age of fifty-nine, and of the confiscation of his property by Richard. Surely this, he thought, judging of others by himself, will rouse the lion in the heart of a Plantagenet! He therefore left Florence, and went to Cologne.* Between Cologne and London there was much and friendly intercourse. German merchants passed frequently from Cologne to London, and English merchants were continually visiting Cologne for the purposes of trade. The attachment of the Londoners to Henry Bolingbroke, the most popular man in England, amounted to an enthusiasm. Forty thousand persons, according to Froissart, had attended him to his embarkation—not with songs and music, but with significant silence, only broken by lamentations and expressions of regret. All this plainly declared that an army was at his service, if at any time an army was required, and that an army would be required soon if the despotism of the king were not checked in time. Arundel—himself a popular man, a man of kind and conciliatory manners—was now surrounded by men who were quite prepared to co-operate with him in any measures he might adopt against the king.

It is said by Froissart that Arundel was sent from London to Henry—a mistake which is easily corrected, if for London we read Londoners, and regard the Londoners as represented by the English merchants at Cologne.

But the difficulty was with regard to Henry himself.

* I have traced the peregrinations of Arundel from Froissart, and from an author quoted by Leland.

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Henry was not an ambitious man, and he was, at this time, a man who enjoyed his ease, and was fascinated by the dissipations of Paris, to which capital he had resorted on his exile. The dormant ambition of a man in whom ambition is not the besetting sin may be excited by circumstances; but Henry was not one of those men who set out with a determination of winning and wearing a crown. The crown was placed by circumstances within his grasp, and he then placed it on his head. But we may fairly believe, that when he entered upon the expedition to which Arundel aroused him, his intention was rather to rule an imbecile king, than to thrust him from a throne to which Henry was not himself even the heir-presumptive. Arundel also was impelled by his malignant passions to the same end: they did more than they designed, being led by that "facilis descensus" which renders one wrong step the sure precursor of another.

The report that came to Arundel at Cologne was, that the Duke of Hereford, having been received by his relations in the royal family of France with a cordiality he had no reason to expect, was absorbed in more than the gaieties of the French Court; for the young widower had lost his heart to Marie, the daughter of the Duc de Berri. The father of the young lady was evidently playing fast-and-loose with the lover—waiting to see whether any change in his fortunes was likely to occur. This, of course, only made him the more ardent. Henry of Bolingbroke, in short, had no wish to leave France, or to embark in a hazardous enterprise, although Arundel knew that, when once he had embarked on it, he would conduct it with all the vehemence of his genius.

It was agreed among the friends and counsellors of Arundel that a personal interview between the archbishop and the young duke was of the greatest importance. This was not an age of protocols or of letter-

writing: and Arundel, from his rank, his weight of character, and his eloquence, was likely to make the desirable impression, and to rouse Henry to a determination to avenge, upon his kinsman's head, the wrongs of his country and himself if he could obtain an interview. But how was that interview to be effected? The duke was bound by oath not to have any intercourse with Arundel. The French government, on the ground that Richard had been deceived in his suspicions of the duke, had received the duke himself with the honour due to a relation; but it did not follow that the French court would give offence to the English king by receiving the deposed and outlawed prelate whom Richard most feared. All these things required consideration.

Arundel, however, determined, at the risk of his life, to make the attempt. Everything was conducted with the strictest secrecy. According to Leland, he repaired to Utrecht, there evidently to be in more direct communication with London. As he was travelling in disguise, it is not impossible that Froissart was literally correct, and that he might have visited London itself. But there seems to have been no object in this: his object was simply to be able to assure Henry of Bolingbroke that, if he did embark for England, London—he might say all England—was prepared to receive him as a great deliverer. His activity was at this time very great: we trace him to Ardembourg, Ghent, Oudenarde, Ath, Condé, and Valenciennes. At Valenciennes he lodged at “The Swan;” and there he remained four days to recover from the fatigues of travel, and to decide finally upon his plan of action. At Valenciennes he hired a guide to conduct him to Paris, distant about 114 miles. He still travelled as a friar, and gave it out that he was on a pilgrimage to St. Maur de Fossés, a town in the Isle of France, and in the diocese of Paris. He was afraid

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that, if he was discovered, he would be ordered to leave the country without effecting his immediate object.

Here he again paused to ascertain where he was to find the duke, and to know for certain, whether he was or was not still at Paris. He received information that the duke had not quitted Paris, and that he had taken up his abode in a house belonging to Clisson. It was a house built by Peter de Rupibus, Bishop of Winchester, in the reign of King John : from him it was called the Hotel de Winchester, corrupted by the French first into Vinchestre, and afterwards into Bicêtre.

When the disguised friar arrived at the Hotel de Winchester, the archbishop was at once recognised by the English retinue ; and his coming was hailed as a sign that some storm was gathering, and that some measures were to be proposed for restoring them to their country. They were eager to tell the archbishop of the wrongs and insults which their master had received. Not only had the king confiscated the estates belonging to the Duchy of Lancaster, but he had interfered to prevent the marriage of the duke with the Princess Marie, having described him as a traitor. The duke had entertained, up to this time, no traitorous designs, and had formed no idea of obtaining the crown of England, seeing that he was not the next in succession. His indignation was great, therefore, when he was thus represented to the French Court : and the first step to be taken, if we wish a man to commit a possible wrong, is to lay the wrongdoing unjustly to his charge. If he were to be treated as a traitor he might as well become a traitor in reality. Such was the state of Henry's mind at this time ; to which we must add that it had been clearly made known to him, by the King of France, that his ladylove he would never have, unless she could be dowered on the princely estates of

The archbishop desired that his arrival should be announced to the Duke of Lancaster, as he was now to be called, and that the second personage of England demanded of him a private interview. It was immediately and readily granted. The duke poured out his griefs to the primate. He complained that the seizure of his property by the king had been made contrary to the most solemn oaths on the part of Richard, that Henry's exile should not interfere with his right to succeed to his father's estates. The archbishop represented to the duke that no property, no life was secure, when upon the throne there sat a king upon whose word and oath no reliance could be placed. He further sanctioned the lax morality of the age, that to one, who could not himself be bound by oath, any oath taken might, in common fairness, be violated. The oath of allegiance was not binding when the king to whom it was made was himself a perjured person. This was a recognised principle of sanctioned immorality, throughout the Revolution.

The archbishop then opened his mission. He appeared before the duke the representative of the Londoners, and in the name of the greater part of the prelates and barons of England, he called upon Henry of Bolingbroke to come forward as the deliverer of his country from the oppressions of Richard of Bordeaux. The family on the throne was not an English family: French customs, French tastes, and the French rather than the English language, prevailed; and if it were not true that Richard had offered to sell his country to the French king for protection against his subjects, it was certain, nevertheless, that the interests of England were not the first and foremost consideration with England's sovereign. The Primate of England, in the name of their common country, called upon Henry, now Duke of Lancaster, to come forward as the deliverer of his country: an

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enthusiastic reception, from one end of England to the other, awaited him.

Henry made no answer. He foresaw the difficulties, the temptations, the possible consequences of his undertaking the office of deliverer. He looked down from the window, in the embrasure of which they were standing, on the garden below, just growing into beauty beneath the springtide sun. The peaceful enjoyments of a home with Marie de Berri, only occasionally broken by the excitements of the tournament and the chase—these presented themselves to his mind, and whenever he spoke it was to express his doubts as to the practicability of the scheme proposed. Against a king powerful enough to send the Primate of All England into exile, and to appropriate to his own use the property of a prince of the blood, what could be done by a man who could not be sure of a single ally—his friends in the French Court having already forsaken him at the first mandate from the powerful Richard? Still the archbishop could perceive that, amidst this tempting indolence, there were the feelings of a strong mind chafed by unmerited disgrace, and not thoroughly at ease when compelled to inaction. In his imagination Henry had before him pictures of peace, but there was that within which impelled him to be up and doing; and before he was fascinated by Marie de Berri, he had vowed in his mind to visit Palestine, and to die at Jerusalem. The archbishop knew both his weakness and his strength, and closed the conversation by suggesting that the subject should be discussed at a council formed by the members of his household—such a council being frequently organised in the houses of the great. The duke again betrayed a wavering mind, by saying, as he parted from the archbishop, that he hoped some means would be found to redress his country's wrongs.

The council assembled. The view taken of the subject

by the retainers of the new Duke of Lancaster was a simple one. Their master had been robbed and wronged ; and robbed and wronged they were in him. How could they receive from him their dues if he was himself deprived of the means of remunerating them for their services ? “ Go, and by force of arms regain your inheritance,” was their advice. The Duke of Lancaster had as much right to drive robbers from his dukedom as the king had a right to drive traitors from his kingdom. This was a principle recognised by the duke, and he could act upon it with a safe conscience. He would compel the king to restore him his dukedom, and the Duke of Lancaster would then return to Paris and claim the hand of Marie. The archbishop did not, at this time, think of anything more than the policy of reducing the king to a puppet by appointing a kind of regency, such as that with which he had been connected, when Bishop of Ely, under the Duke of Gloucester.

But Paris was not the place for plotting against the son-in-law of the King of France ; and when Bolingbroke had decided upon action, he and the primate determined to proceed to the court of the Duke of Brittany. They proceeded to Blois, where they remained for rather more than a week ; and here they received friendly communications from the Duke of Brittany, with whom they had an interview at Nantes. He would have resisted any attempt upon the throne of Richard ; but when Richard was acting despotically and unjustly, he fully recognised the right of the Duke of Lancaster to win his own by his sword, and to coerce the king to observe the rights and liberties of his subjects. Although the cases were not actually parallel, yet they seemed so to him ; and as he should, under similar circumstances, have resisted the King of France, so might the Duke of Lancaster so far resist the King of England as to force him to restore his dukedom. The object was

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to secure a place of retreat in the event of failure. There was no thought of introducing a foreign army into England: a foreign invasion, or an attempt to establish just rights by foreign lances, would have been, they were quite aware, resisted by all classes in England.

With only fifteen lances or knights, and a small body of archers, did Henry of Bolingbroke and Thomas Arundel sail from one of the ports of Brittany. It was determined to effect a landing in Yorkshire, where the duke would soon be in the midst of his own estates and among his own tenants. They at least would fight in his defence, even if the rest of the people did not rally round his standard. The duke touched at several places on the coast, to communicate with his friends, and to signify the place of rendezvous. His destination was Ravenspur,* and at Ravenspur he landed on the 4th of July. The news spread that "Sir Harry of Derby" with the archbishop was in England, and they met with an enthusiastic welcome. They started for Pontefract, and were joined at Doncaster by the Percys, and by other noblemen, who felt that if the property of a prince of the blood was not safe, their own security was uncertain. They were prepared to imitate the Gloucester Ministry, and to force a ministry upon the king—to place the country in the hands of a regency. The course of this revolution was very similar to that which was pursued under the revolution effected by William III.: deliverance from oppression—not the overthrow of a dynasty—was in both cases what was first designed.

Although all things prospered so far, yet Bolingbroke and the archbishop could not but feel that their position

* Of Ravenspur in Yorkshire, so celebrated in history, nothing remains. It was situated on the banks of the Humber; and by the Humber, in the course of years, its overthrow was effected. A collection of documents respecting Ravenspur was published by T. Thompson, Esq., in 1822.

was perilous. How far or how long the Percys would yield the right of command to Henry was doubtful; and it was also doubtful, if they at any time seceded, whether their secession would not be imitated by other nobles. Then again, although vast numbers flocked to the standard of Henry, they were for the most part undisciplined; it would take some little time to organise an army from such a mixed multitude: for although some of them had been trained to war, yet who were the trained troops and who not it was at first difficult to discover. On the other hand the regent, the Duke of York, was in command of disciplined troops, and the king was at the head of a powerful and, we may say, a victorious army in Ireland. If the army landed safely from Ireland his force would be almost overwhelming. In Wales the leading Welshmen and the population were avowedly favourable to Richard; and there an army of forty thousand strong was prepared to greet him on his arrival in England, and to carry him in triumph against the Londoners.

Under these circumstances the attentive reader of history will be struck with the strategic skill of Henry of Bolingbroke. He was not a mere soldier: he had all the sagacity, the foresight, the presence of mind, and the genius of a general.

Richard would, of course, land in Wales, his stronghold. Bolingbroke proceeded to his own castles at Pontefract and Knaresborough, and confided them to the custody of faithful troops and trustworthy officers. He advanced then upon Leicester and Kenilworth, both his own castles and towns. Here he made himself secure in the event of a defeat. The rapidity of his motions, as is always the case with great generals, caused universal astonishment; his proclamations encouraged the people ready to avenge his wrongs; his opponents fled before him. Scrope, Bussy, Green, and Bagot, though under the command of

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the bellipotent Bishop of Norwich, fled before him. He was now in a condition to treat with the government, at the head of which had been left his uncle, the Duke of York. From Kenilworth therefore he marched, with all the pomp of war, through Evesham to Gloucester, and from Gloucester to Berkeley. At Berkeley he had an interview with the regent, who withdrew all opposition when Bolingbroke asserted that he had only come to defend his rights; and the primate justified the maintenance of popular rights by force of arms. He pursued the other members of the ministry; and overtook them at Bristol, where they underwent the fate which usually awaited an outgoing ministry at that period, and were led to the block. Bolingbroke then visited London, and was received with a rapture of welcome which baffles all description. He only remained long enough in London to graft the trainbands into his army, and then returned to Gloucester, thence going westward to Ross and Hereford. At Hereford the bishop and Lord Mortimer gave in their adhesion to the movement; and the army, increasing in numbers as it marched, passed through Leominster, Ludlow, and Shrewsbury, until it arrived at Chester, which was to be Bolingbroke's headquarters. The reader will see that, with the skill of a general, Bolingbroke was now master of London, Bristol, and Chester, with all the fortresses within a triangle, the apex of which is to be found at Bristol, the base from the mouth of the Humber to that of the Dee.*

At Chester a halt was made, and the enemy was waited

* I have followed throughout the narrative, reconciling the discrepancies, Froissart, the *Continuatio Eulogii*, *The French Metrical History of the Deposition of Richard II.*, by Creton, in the *Archæologia*, together with the *Chronique de la Trahison et Mort de Richard Deux*, published by the English Hist. Soc. To these works the Notes of the learned editors are valuable additions.

for : it would not have been safe to penetrate within the fastnesses of Wales.

While the army was in progress, the archbishop is said to have preached rebellion from the pulpit, and to have exhibited a papal bull, granting a plenary indulgence to all who should join in the rebellion.* But this story is apocryphal. The author of the *Metrical History* merely states that he had heard a report that Henry had compelled the archbishop thus to preach ; but I believe that this statement is not corroborated by any other writer of the age, though it has been adopted by Stow. It is so unlikely that Arundel should have been able to obtain a bull of indulgence from Rome, on so short a notice, and so unlikely that the pope should commit himself to either party at such a crisis, that the author of the *Metrical History*, when stating the rumour, insinuates that the publication may have been a mere device on the part of Arundel.

That Arundel exerted himself, however, on the side of the insurgents is certain ; and, aided by such a recruiting sergeant, Bolingbroke found himself with an army sufficient, on his arrival at Chester, to take possession of Holt Castle, in which all Richard's treasure had been lodged, to the amount of seven hundred thousand pounds.

Here the rebel army waited for news from the enemy. At length the Duke of Exeter† and the Duke

* In Strutt, 45, there is an engraving of the Archbishop preaching, taken from an ancient painting. He is represented in his mitre, arrayed in a splendid cape ; and from the pulpit the bull depends.

† John de Holand was third son of Thomas, Earl of Kent, by Joan, daughter of Edmund of Woodstock, son of Edward I. He was uterine brother to the king, and he was brother-in-law to Henry of Lancaster, having married his sister Elizabeth. He was a bold bad man. He was created Earl of Huntingdon on the 2nd of June 1387, and Duke of Exeter 29th Sept. 1397. He was vehemently opposed to the Arundels, and, after the Earl's death, took possession of his residence

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of Surrey,* arrived at the camp at Chester, to demand, in the king's name, the intentions of the Duke of Lancaster.

They desired an immediate answer ; but Bolingbroke's plans were not matured ; and, remarking that the king had not paid regard to their rank when he selected them to be his messengers, he expressed his regret that he should be obliged to place them in custody, as he should not be prepared with his answer for at least a week. All these circumstances must be duly considered if we would understand the character of the proceedings we are about to narrate.

At the present time the disposition on the part of Bolingbroke and his supporters was to come to terms with the king. If he would restore the duke and the archbishop, and give security for good government for the future, they would have gained all that they, at this time, required. They were, in fact, in no condition to make very high demands. The news had reached them that the Earl of Salisbury was at the head of an army of forty thousand strong, consisting of the Cheshire men and the Welsh, all loyal to the king. Then came the news that the king had disembarked an army of thirty-two thousand men at Milford Haven. He had actually landed at Pembroke, according to the *Chronique de la Trahison* ; but the news of his having brought over a large army was correct. Bolingbroke looked on these things with the eye of a general, and felt the difficulty of conducting a campaign against such an army in any enemy's country, and Wales was to be regarded as such.

in London, called Cold Harbour, in the parish of All Saints. The king gave him all the furniture of Arundel Castle. He was degraded in the parliament of 1399, and beheaded in 1400.

* Thomas Holand, third Earl of Kent, was created Duke of Surrey 29th September 1397. He was Earl Marshal and a Knight of the Garter. He was degraded from the dukedom in parliament 1399, and beheaded in 1400.

The Duke of York was aware of the anxiety felt in the council of Henry; and when the Duke of Surrey was giving vent to his indignation at the treatment which the king's messengers had received, the Duke of York consoled him by expressing his own conviction: "Fair cousin, be not angry. If it please Heaven, all things will yet be well."

But a change soon came over the scene. Spies, deserters, and scouts brought in word that the Earl of Salisbury's army, impatient at the delay of the king, who had lost much precious time in Ireland, had dispersed. The news also came, that Richard's own army, immediately after its landing, had mutinied, and had robbed the king of his robes, jewels, gold, silver, horses, and of all his splendid wardrobe—of everything, in short, which would have enabled him, when sold, to supply himself with the sinews of war. The followers of the two dukes, and the dukes themselves, when questioned, could not deny the fact. It was indeed on account of the king's distress that they had themselves made their appearance in Bolingbroke's camp. The whole subject now assumed a new aspect, and a council was held, as to the course which, under these altered circumstances, should be pursued.

At this council, the archbishop was urgent for peaceful measures. He reminded Henry that, from its mountains, Wales was a defensible country, and that the sea was open to the king if he thought fit to call in the assistance of his father-in-law, the King of France—a threat which he had often uttered. He recommended that, even under their improved circumstances, an amicable message should be sent to Richard, requiring that a parliament should be summoned, that those who were guilty of the murder of his uncle, the Duke of Gloucester, should be punished, and that the king and Henry should once more become friends. The king would of course know what the summoning of

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the parliament meant. A parliament elected under sheriffs appointed by Henry would immediately appoint a council, who, in the king's name, would conduct the affairs of the country. Their very allusion to Gloucester implied this; and as this was, at the beginning, all that Bolingbroke and the archbishop had proposed to themselves, there is no reason why we should suspect the advice of insincerity, as some historians have thought fit to do.

In a few days, however, all things were changed. The very men who were, at first, urgent for a proposal of peace, or compromise, became so enraged, that nothing short of a revolution would satisfy them; but for this we can account.

It was made known that the king was now with a very small force at Conway Castle. It was not known at Chester how utterly ruined he was, or to what complete destitution he was reduced. The Earl of Northumberland was appointed to convey the ultimatum of the insurgents to the king, and he went, attended by four hundred lances and a thousand archers. Not knowing the condition of the king, he had the precaution to take this large escort, lest Richard should deal with him as Henry had dealt with the Holands. But so utterly destitute was Richard at Conway, that with this force he might have been made a prisoner at once. There was no necessity for perjury or for ambush: when Northumberland reached Conway Richard was as much in his power as he was afterwards at Flint. Northumberland, in order not to leave an enemy behind him, had on his way to Conway, and about ten miles distant from it, taken Rhuddlan Castle, a place nearly impregnable, but which was at once surrendered to him. Here he intended that the king should dine if the terms were accepted which he was going to Conway to propose.

When Northumberland arrived at Conway, and was

admitted into the royal presence, he assured the king, that what he was about to offer was offered in good faith, and that by the terms, the parties he represented were prepared to abide. He stated that what Henry required was that a parliament should be convened at Westminster; that Henry should be made grand justiciary of the kingdom; that before the parliament should be arraigned the Dukes of Exeter and Surrey, the Earl of Salisbury, and Merks Bishop of Carlisle,* the parties who had urged the king to put the Duke of Gloucester to death; that Richard should then be king and lord, with Henry for his justiciary, who would come and on his knees ask for pardon. Northumberland concluded by requesting that the Holy Eucharist might be consecrated, that he might swear upon the host to the observance of these terms.

The terms here offered it had been, throughout, the object of the party to procure. There is no reason to believe that at that time more than this was required. Henry was the kind of man who would have preferred the peaceable acquisition of substantial power; and peace was desired by the archbishop, when vengeance had been taken upon those who had instigated the murders of Arundel and Gloucester, and upon the king himself by thus humbling his haughty spirit.

* Thomas Merks, Merk, or Newmarket, *de novo mercatu*, was born at Newmarket; and became a Benedictine monk of Westminster. He was Vicar of Stourminster and Todenham, August 13, 1414. He became Bishop of Carlisle in 1397, being consecrated at Rome. His name is had in honour for the speech he is supposed to have made against the deposition of Richard II. That he never delivered such a speech as that which is attributed to him, that he was a mere tool of the maladministration of Richard's arbitrary reign, and that he was not faithful to Henry, is shown by Bishop Kennett, in his third letter to the Bishop of Carlisle concerning Bishop Merks. Merks was deprived of his see for treason, by Henry IV.; and the pope appointed him titular of Cephalonia. He died in 1409, and was buried at Todenham.—English Chron. 167, 171. Kennett. Webb.

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Regardless as men, at this time, were of the sanctity of an oath, no one would, even then, have volunteered an oath, when no object was to be effected by perjury. If Northumberland had merely designed to take Richard to his enemy, he might have given the word of command to his four hundred lances and his thousand archers, and it was as easy to make him a prisoner at Conway, as it was when he was ten miles nearer to Chester.

But of a sudden we find men and measures all changed. Henry and the archbishop became impassioned: the former exhibited feelings of contempt and hatred towards Richard, which the primate, when himself mollified, found it difficult to keep within bounds. Northumberland, instead of leading Richard with all respect to his kingly office, as he at first purposed, to the camp at Chester, makes him a prisoner and places him under restraint, confines him in Flint Castle, and sends to Henry for further orders. For all this, through the gossiping propensity of one of Richard's suite, we are able to account.

When the proposals were made to Richard, he retired to consult his friends as to the policy it would be expedient for him to adopt. He stated that he must grant the requests which had been made to him: "Things are desperate," he said: "you must perceive this as well as I can do. But I swear to you, whatsoever assurances I may give to this man he shall die. I will enter into secret correspondence with the Welsh; through them I shall regain my power; and that regained, in any way, death shall be the award to Henry and his partisans. Some there are whom I will flay alive. Not all the gold in all the land will I take for them if I continue alive and well."

After this he recalled the earl. He solemnly pledged himself to support his part of the covenant, and signified his readiness to start immediately for Chester. He

requested the earl to precede him to Rhuddlan to have dinner prepared, and after dinner they would proceed on their journey.

It is one of the characteristics of a weak, vain, passionate man that he cannot keep his own counsel. Richard probably revealed to others besides his council what he regarded as a clever manœuvre; and certainly what was known to the gossiping Creton who records the speech was likely to be known to others. The royal intentions were divulged to Northumberland at Rhuddlan; and instead of taking Richard on to Chester, where he was to have been received with at least the outward demonstrations of respect, he sent him a prisoner to Flint Castle. As the king was attended only by twenty-two persons; and as Northumberland, besides his lances and archers, could command the friendly garrison at Rhuddlan, the tale of his lying in ambush for the little party on its way to Rhuddlan—where they had agreed to dine, and where they did dine—is not of much importance.

The king had declared his intention not to observe his oath and bond, but to watch his time to put those to death who were now dealing mercifully with him: and his opponents seemed to themselves to have no further choice. Die they must, or else the king must be deposed. Terms with Richard they would no longer make. Henry marched the next day from Chester with a hundred thousand men to take his prisoner to London. The archbishop, however, preceded him. He was no longer the advocate for peace. He entered the royal presence, and rudely upbraided the king, calling him the most false of men: “I swear upon the body of our Lord thou didst solemnly promise me that my brother should receive no harm. I brought him into thy presence, and never did I see him again. Thou didst promise me when I was sent into exile that thou wouldst speedily recall me,

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and thou yet didst endeavour to have me murdered, and didst appoint another archbishop in my place. Thou hast as king robbed the nation ; thou hast unlawfully taxed the people—not for the good of the country, for which thou hast never cared, but for the indulgence of thy avarice and pride. Thou hast promoted the vilest of the people to be thy counsellors, overwhelmed them with gifts and followed their counsels. The counsels of the chief men in the state, thy own relations, thou hast neglected and despised, because they would have restrained thy extravagance by suitable regulations, such as the constitution supplied and the state of the country demanded. Thou hast doomed them to death, and, not content with this, thou hast sought to ruin their families by killing their heirs. Thou hast acted as a tyrant, but thy decrees shall now be naught. Incontinently hast thou lived, and by thy base example thou hast defiled thy court and thy country.” While thus he was multiplying words, the king merely stopped him by saying in a supplicating tone, “Sufficit, sufficit :” and not having anything to urge in his defence, —non habens quomodo se defenderet,—expressed his readiness to resign his crown.*

* *Continuatio Eulogii*, 382. Most of the historians speak of the kindness of the archbishop, and that he exerted himself to console the king. The two accounts are reconciled in the narrative given above. It is fair to Arundel, when we are narrating what we should now regard as brutality, to state that such an outbreak as that which is given above was not unusual in those days. On one occasion, when Richard was in London, the Duke of York and his son the Earl of Rutland, the king’s uncle and his cousin, forced themselves into his presence, when Richard, looking fiercely upon his uncle, with an oath, exclaimed : “Thou villain ! what hast thou to say to me ?” And turning abruptly from his uncle to his cousin, he continued : “And thou, thou traitor Rutland, thou art not worthy to speak to thy king—no, nor to bear the name of duke, earl, or knight ! Thou, and yon villain, thy father, foully have ye betrayed me. It was by your false counsel my uncle of Gloucester died.” “You lie !” cried Rutland, casting his bonnet at the

The king, who at Conway was boasting of the vengeance he would take on his enemies when he should regain his power (as he had little doubt, by the cunning which he mistook for wisdom, to do) had become so mentally prostrate when he was led a captive into Flint Castle, that he was now an object of pity. From this time it is difficult to say whether he was a sane man or not. They who maintain that he escaped from Pomfret and took refuge in Scotland represent him as reduced by his misfortunes to a state of idiocy. His conduct from this time until he disappears from history gives countenance to the report.

The alteration in the royal demeanour certainly had its effect upon Arundel. All his ancient animosity had been aroused and burst into a flame when it was made known in Henry's camp that Richard had revealed his policy, intending to treat with his adversaries merely to entrap them, in order that, when entrapped, they might be destroyed as vermin. But when he saw the fallen king abject in his misery, the better nature in Arundel prevailed; and, though resolved to depose him, he thenceforth treated him with all the kindness and consideration that circumstances would permit. The Earl of Salisbury reports that the archbishop comforted the king in a very gentle manner. The two things are perfectly intelligible to those who have any knowledge of human nature. A man may be firm even to harshness in carrying out a principle, and at the same time exhibit a sensitiveness (which is perfectly real as far as it goes) when he is eyewitness of the sufferings he has caused. Buonaparte could sacrifice thousands of lives for the purposes of his ambition; but in the field of battle, amid the dying and the dead, he would weep.

king's feet. "I am thy king and lord," shouted Richard, "and will continue king and greater lord than ever I was in spite of all my enemies." Truly the age of chivalry was not the age of refinement!

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It would seem that when he saw his enemy prostrate and at his mercy, Arundel's thirst for revenge was satiated; and though he could not desert his party, and though he may have felt that the lives of himself and his friends could not be safe so long as Richard remained on the throne, he pitied the fallen man; even as a surgeon may commiserate the sufferer upon whom he is about to operate. Knowing Richard's character, he consoled him by promising that his life should be spared, and that his abdication should not deprive him of the luxuries to which he had been from childhood accustomed.

Henry of Bolingbroke was also an altered man. He had not the sensitiveness of Arundel, but he had a conscience, which, though unheeded, would make itself heard. Exasperated against Richard, whom he had wished to treat with consideration, he did not thenceforth pretend to conceal his hatred. Through his self-condemnation he became morose and suspicious, and the sufferings of his mind soon exhibited themselves in that disease which brought him to a premature grave.

By the time Henry reached Flint Castle, with an army of a hundred thousand men, to convince Richard that resistance would be henceforth in vain, the archbishop had been for some time closeted with the king, endeavouring to reconcile him to an inevitable fate, and to induce him to act with dignity in the presence of his conqueror. He persuaded Bolingbroke, when he arrived, to give the king time; and it was arranged that the former should not enter the castle till after dinner. Richard prolonged the meal, that he might defer his humiliation as long as possible, until he began to fear that Bolingbroke's patience would be exhausted. He then descended into the court of the castle, and conducted himself with unusual self-composure.

Richard was carried to Chester, where writes in his

name were issued to summon a parliament, and a proclamation to keep the king's peace. The archbishop accompanied the army—which, without striking a blow, had gained such an unexpected victory—to London. Their route lay through Nantwich, Newcastle-under-Lyne, Stafford, Lichfield, Daventry, Dunstable, and St. Albans. At Lichfield the king, letting himself down from a window, had nearly escaped; but, except this occurrence, no trouble was given to the victors, they being everywhere received with transports of enthusiasm. At a distance of five or six miles from London, the Lord Mayor, with his sword of state, accompanied by all the guilds of the city, were in waiting to receive the conquering hero. The cry of the populace was, “Long live Sir Harry of Derby!” or “The good Duke of Lancaster for ever!” That a kingdom should have been conquered in two months by his strategic skill was regarded as more than a proof of good generalship—it pointed out the man who ought to be king. He was compared to Alexander the Great. To the city authorities Henry presented Richard, saying: “Fair sirs, here is your king; consider what you will do with him.” Rejecting him as a visitor to the city, they directed that he should be taken to his palace at Westminster, whither he was sent,—in fact, a prisoner.

Shakspeare's description is literally true:

“The duke, great Bolingbroke,
 Mounted upon a hot and fiery steed,
 Which his aspiring rider seemed to know,
 With slow but stately pace kept on his course,
 While all tongues cried, ‘God save thee, Bolingbroke!’
 You would have thought the very windows spake,
 So many greedy looks of young and old
 Through casements darted their devouring eyes
 Upon his visage; and that all the walls,
 With painted imag'ry, had said at once,
 ‘Jesu preserve thee! welcome Bolingbroke!’

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While he, from one side to the other turning,
 Bareheaded, lower than his proud steed's neck,
 Bespake them thus, 'I thank you, countrymen :'
 And thus still doing, thus he passed along."

As to Richard :

"No man cried, God save him !
 No joyful tongue gave him his welcome home ;
 But dust was thrown upon his sacred head,
 Which with such gentle sorrow he shook off,
 His face still combating with tears and smiles,
 The badges of his grief and patience,
 That had not God for some strong purpose steeled
 The hearts of men, they must perforce have melted,
 And barbarism itself have pitied him."

The archbishop had, in the meantime, gone to St. Paul's. There by the clergy he was welcomed back to his own ; and at their head he received "the deliverer" of the country, as in military pomp he and his suite approached the great western door, thrown open for his reception. With sacerdotal ceremony Henry was led up the nave, until he reached the steps of the high altar, where he knelt long in silent prayer. He then turned to his father's tomb, which was at its side. He had not, of course, seen it before ; and he wept over it, with that profusion of tears which men of that age seem always to have had at command.

As in the Revolution of 1688, so in this revolution of 1399, it was determined that every form of law should be strictly observed, so far as this could be done when a change in the executive was to be effected. Until the reign of Edward IV., the right of succession to the throne claimed by the direct heir of the reigning monarch was not known to our constitution. The old Saxon principle still lingered in men's minds : one of the royal family was to sit on the throne, but the country was at liberty to

reject the immediate heir, if substantial reasons could be adduced for such a measure. The form of this principle is still retained in our Coronation Office. The primate presents the person claiming to be sovereign to the three estates of the realm—the clergy, the lords, and the commons — and demands whether they are prepared to do him service. At one time it was in the power of the people to refuse, just as it was considered in the fourteenth century constitutional for good reasons to withdraw, their allegiance. The question which perplexes some modern historians as to the right of Henry to the throne afforded, though some, yet very little perplexity to Arundel and the chief actors in the Revolution of 1399. Their difficulty was to declare the throne vacant. If once the throne were vacant, Henry might claim it as the fittest member of the royal family to occupy it, and all that would then be required would be the acceptance of his claim by the people.

The substantial power being in Bolingbroke's hands, nothing was done in a hurry. Henry himself remained for five or six days in the palace of the Bishop of London; he passed another fortnight in the Hospital of St. John, without Smithfield; he then went to Hertford, where he remained for three weeks. The archbishop, in the meantime, had accepted for the third time the office of chancellor,* but only until the Great Seal could be confided to a person upon whom he and the revolutionary party could implicitly rely. Such a person was John de Scarle, Master of the Rolls and Archdeacon of Lincoln. He had, when Arundel was chancellor before, acted occasionally as his *locum tenens*; and, after ten days, the archbishop resigned in his favour.

I shall not narrate in detail the interview of the arch-

* Hardy, 46. The exact date of Arundel's appointment is not known, further than that it took place in the month of August.

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bishop with the unfortunate monarch, because the official report is obviously garbled. But all parties agree in representing his conduct to have been as considerate, conciliatory, and kind as the circumstances would admit: Arundel was placable, and was now appeased.*

The revolutionary party, knowing the insincerity of the king and the insecurity of popular favour, determined to implicate parliament in the revolution now in progress. The king might resign, but on a turn of fortune he might rescind the resignation; and, by a new parliament, those who were now at the head of affairs might be arraigned as traitors. But the whole nation would be involved in the act, if the king were deposed. Revolution, the act of all, is to be distinguished from rebellion, the act of a party.

The policy of the revolutionists had been fully arranged before the meeting of parliament. The parliament, as arranged at Chester, met on the morrow of St. Michael's, the 30th of September. The promise made by Richard to the Earl of Northumberland, when in Wales, that he would resign the crown, was then advanced; and it was also affirmed that the king was prepared to give effect to his promise by a public act. It was added, that he

* We can have little doubt that recourse was had to harsh measures to compel Richard to resign. Northumberland asserted, in the hearing of Hardyng, that he was forced to it under the fear of death; and Northumberland must have known all that occurred. To Henry's face he published the fact: "Tu ipsum Dominum tuum et regem nostrum imprisonasti infra turrim London, quousque resignaverat metu mortis regna Angliæ et Franciæ."—Chron. 352, 353; Notes to Creton, 196. We can reconcile the apparently contradictory statements by reference to the character of the parties concerned. Henry would not hesitate to resort to harsh measures, if necessary; but, knowing how he should reprobate such conduct in others, he shrank from avowing it. Richard's levity, on some occasions, offered the opportunity, which Henry desired, of making it appear that he did not act under more constraint than was implied in his imprisonment.

desired first to have some private conversation with his two cousins, namely, the Duke of Lancaster, and the Archbishop of Canterbury.

The duke and the archbishop attended upon the king after dinner, having, intentionally or by accident, kept him waiting. They did not come alone, but several other lords were in attendance. These all bore witness that the king, with a cheerful voice, signified his readiness to renounce the crown; and that he constituted the Archbishop of York and the Bishop of Hereford proctors, to inform the parliament that, if it lay in his power, he should nominate the Duke of Lancaster to succeed him in his kingdom. He had taken his signet-ring also from his own finger, and had placed it on the finger of the duke. He read distinctly the schedule containing the form of resignation, and absolved his people from their allegiance.

Much stress was laid upon the cheerfulness of the king: he seems to have indulged in some bitter and sarcastic jokes (men have joked on the scaffold), of which Henry took advantage. Knowing the insincere character and sanguine temperament of Richard, we cannot but think that he had made up his mind to yield to circumstances, and then to trust to the chapter of accidents to enable him, even yet, to triumph over his enemies.

On the morrow—Tuesday, the Feast of St. Jerome—the two houses of parliament assembled in Westminster Hall. It had lately been repaired and decorated by the unfortunate monarch upon whose deposition the parliament was resolved. The lords spiritual and temporal were arranged as usual; and the Duke of Lancaster sat as one of the peers. The chair of state, the royal throne, covered with cloth of gold, stood in the accustomed place at the head of the hall, unoccupied. The Archbishop of York and the Bishop of Hereford, acting by the king's orders, handed in the schedule which contained the renunciation

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of the crown by King Richard. It was read by the clerk of parliament, in Latin and in English. The question was then put to the estates and people there present, whether it would be for their interest and the wellbeing of the kingdom that such renunciation and cession should be accepted. It was for Lord Thomas, Archbishop of Canterbury, to give the first vote, and he gave it in the affirmative. Then each peer singly, and in common with the people, unanimously accepted the king's resignation.

It was resolved, as we have said, that, besides the resignation, the king should be deposed—that the crown should be declared forfeited on account of the king's misgovernment. The Coronation Oath was therefore read; and this was followed by thirty-three articles of accusation against the king, designed to prove that the oath had been violated by Richard. When the articles had been read, a committee was appointed, empowered to pronounce sentence of deposition upon Richard. After some discussion on the mode of proceeding, the commissioners took their place on a tribunal in front of the throne; and on the behalf, in the name, and by the authority of parliament they pronounced the sentence of deposition—which sentence was reduced to writing and duly signed.

The throne now being vacant, Henry Duke of Lancaster rose from his seat, and, standing erect, so that he could be seen by all the people in the crowded hall, having signed himself with the sign of the cross on his forehead and on his breast, and having invoked the name of the Lord, he laid claim to the vacant kingdom, speaking, as became him, in his mother tongue:—

In the name of Fader, Son, and Holy Ghost, I Henry of Lancaster, challenge this rewme of Ynglonde, and the crown, with all the members and the appurtenances; als I that am descendit be right line of the blode, comyng fro the gude lord King

Henry Therde, and throghe that right that God of His grace hath sent mee, with helpe of my kyn and of my frendes, to recover it. The which rewme was in poynt to be ondone for defaut of governance, and undoyng of the gude lawes.

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Before the question could be put whether the claim were a valid one, the answer was already given by the loud universal shout which spread from the crowd within to the mob without, calling upon God to save King Henry IV., and uttering a prayer that he might have long to live. The duke, amidst the uproar of enthusiasm, exhibited to the commissioners the royal signet, to show that the late king agreed with the people in recognising his right to the throne.

The two archbishops approached the duke, knelt before him, and led him to the throne. The flush of triumph was on Arundel's haughty brow. The promises he had made to the exiled Bolingbroke had been more than fulfilled; his brother's blood had been avenged. Let us hope that some satisfaction was felt at his having been instrumental in liberating his country from a thoughtless, selfish, and cruel despotism.

Before the chair of state, on the steps, Henry for a brief space was prostrate in prayer. One would like to know what was then passing in the mind of one who, doubting whether he was doing right or wrong, was not a man living without God in the world. When he rose from his knees, he was placed upon the throne by the two metropolitans, "all the people shouting wonderfully for joy."

It was long before the archbishop could obtain a hearing from "the overjoyed multitude;" but when silence was at length procured, he addressed them in a short discourse or oration:—

"Vir dominabitur populo."—A man shall reign over my people.—(1 Sam. ix. 17.)

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“These are the words of the King of kings, addressed to Samuel, and teaching him how a person should be qualified to rule, since the people desired to have a king given. And not unfitly may they be said of our Lord the king upon whom we this day look. If we closely examine these words, they afford us matter of no little consolation; for God does not threaten us, as He did formerly His people by Isaiah, saying (Isa. iii.) ‘I will make children to rule over them.’ But according to His compassion, He who in His wrath remembereth mercy hath visited His people, and now no longer shall children lord it over us; for the Lord saith, ‘A man shall rule.’ Of the late rulers of this kingdom, or any of them, one might have truly said that of the Apostle (1 Cor. xiii.) ‘I spake as a child, I understood as a child, I thought as a child.’ The Apostle repeats it thrice: as a child I spake, I understood, and thought. As to speech, it is certain that a child is inconsistent in his talk; he easily speaks true, and he as easily utters a falsehood; he is ready in words to promise, but what he promises he almost immediately forgets. Now this sort of thing in a king is in the highest degree inconvenient and dangerous: it is utterly impossible that any realm can continue prosperous or happy under such conditions as these.

“From such mischiefs a kingdom is happily freed when the sceptre is swayed by a man. It pertains to a man to set a watch upon his tongue; and such is our present happiness, over whom no longer a child but a man is set,—such a man, as I hope we may say of him that in Eccles. ix., ‘Blessed is the man that hath not erred with his tongue.’ Then saith the apostle, ‘I understood as a child.’ Now a child relishes nothing but flatteries and things pleasant to the ear; he understands only baubles and trifles; he has no pleasure in

anyone who argues according to truth—yea, indeed, hates him above all measure. Heretofore amongst us truth was trampled under foot, so that none durst speak it, and therefore it is plain and apparent enough that he that then reigned understood as a child. For a man is not addicted to such things, but understands wisdom, so that by the grace of God it may be said of him as it is written (Eccles. ix.), ‘Blessed is the man that abideth in wisdom.’ For as a child is delighted in vanity, so a man has regard to truth and wisdom. Truth, therefore, shall enter and vanity depart, which has done so much mischief in our nation; for now a man shall rule who seeks after truth, and not vanity or flattery. Thirdly, it is said, ‘I thought as a child.’ A child thinks and studies how to have his own way, and how to do things not according to reason but according to his own will. Therefore when a child reigns there only selfwill reigns: thence reason is banished, and constancy is put to flight, and great is the danger that ensues. From this danger we are happily delivered, for a man rules over us,—to wit, one that speaks not like a child, but thus, as one that has the perfection of reason, ‘I come not to do my own will but the will of Him that sent me,’—to wit, of God. Therefore, of such a man we will say not only that he will abide in wisdom, but also that as a man, not a child, he will meditate on the circumspection of God: that is, he will, in every way, diligently observe that God’s will not his own be done; and so, in the stead of a child wantoning in foolish stubborn humours, a man shall reign, and such a man that it shall be said of him, ‘A king shall reign in wisdom, and he shall execute judgment and do justice in the earth.’”

The king now rose from his throne and addressing his subjects, declared his intention of maintaining the rights and liberties of the people, of supporting the dignity of

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the crown, and of vindicating the honour of the country. The principal officers of state were then sworn, as in the case of a new reign, and measures were taken for the preservation of the peace of the country. Parliament was dissolved, and a new parliament was called, to meet on the 6th of October. The coronation was appointed to take place at Westminster, on the Feast of St. Edward. Amidst a renewed uproar of shouts, King Henry IV. then rose from the throne, and with a joyful countenance, bowing to the people, retired to his private apartments. The archbishop accompanied him, and partook of the splendid feast which the king gave to the two houses of parliament and others among his partisans in the Whitehall.

On Monday the 6th of October the two houses of parliament again assembled in the great hall of Westminster. King Henry IV. was, without the crown, seated on the throne. By his command the archbishop was directed to declare that this parliament had been summoned by King Richard to be held the Tuesday next before, but that the summons had been annulled and made void by the resignation and deposition of the said king. He then told them "that this most famous realm, abounding in all felicities, had been long governed by children and young counsellors, and would have been utterly ruined and wasted had not God sent a wise and discreet man to rule over the same,—one who meant, by God's help, to be governed himself by the wise and old heads of the realm."

After this, he took for his text the following words from Maccabees: "Incumbit nobis ordinare pro regno," *i.e.*, "It is the king's will to be governed by the honourable, discreet, and sage men of the realm, and by their common consent, and not by his mere will and caprice." He further laid great stress on this, "That this nation, of any

under the sun, might best support and live within itself," alleging for authority this adage, "Quod inter regna hoc principatum tenet." To this he added, "That to every good government three things were required — first, justice; next, that the laws should be duly observed; and, lastly, that every degree of men, in their several vocations, should be encouraged and protected." He brought many reasons why this nation ought to be well governed, and that their new king was determined to observe strictly the principles just laid down.

He then adjourned the parliament to the Tuesday following.

On Monday, the Feast of the Translation of St. Edward the Confessor (the 13th of October 1399), Arundel officiated at the coronation of Henry IV. He appeared in a cope bordered with gold, his mitre being also striped and flowered with the same precious metal. He was assisted by the Archbishop of York. The Archbishop of Canterbury sat at the king's right hand at the feast.

The reader will have observed that, from the moment of his return to England, Arundel resumed the functions of the primacy. He did not acknowledge the existence of Walden. To have procured any act to denote his own restoration would have been tacitly to acknowledge the rights of the usurper. He would not submit to any new collation, or permit himself to be restored by any new Bull of Provision. He insisted that his translation to St. Andrews had been null from the beginning, as to that translation he had never given his consent. On the 6th of October 1399, a convocation was held at St. Paul's by the prior and convent of Canterbury, without reference to Walden. During the vacancy of the see or the exile of the primate, they possessed the metropolitan jurisdiction. The fact of their exercising this power, without any form of resignation on the part of Walden, was, in effect, to

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pronounce him to be a usurper. On the 11th of October, Arundel resumed his seat as president of the convocation, and he resumed it as his own from which he had never been canonically ejected. Boniface IX. assented to the statement, resorting to the usual papal subterfuge that he had legislated in ignorance of the real state of the case, the facts not having been correctly stated to him.* Nevertheless, before the coronation, he had the precaution to procure letters-patent restoring him to the see.

On the 23rd of October, the archbishop charged the Lords, on the part of the king, that what would be stated to them should not be repeated out of the House. A secret committee was formed. The Earl of Northumberland then asked, for the safety of the king and all the estates of the realm, what measures should be taken for placing Richard, the late king, in security, saving his life, which the king willed should, under all circumstances, be preserved. The lords spiritual and temporal being severally questioned, answered one and all, that he should be placed in safe and secret custody, that he should be well guarded, and that none of his former servants should be allowed to approach him.† The question whether Richard died at Pomfret, or whether he escaped to Scotland, is still under discussion. A letter of Arundel's in the British Museum may throw some light upon the subject. It was written to Henry IV. in 1407, when Arundel was for the fourth time chancellor. It has reference to a proposed peace with Scotland; and the chancellor asks for time to draw up the proper docu-

* "Tunc Bonifacius papa, cum regem a duce Lancastriæ superatum acceperat, Rogerum Walden, tanquam invasorem atque prædonem, de archiepiscopali celsitudine, postquam eam duobus annis occupasset dejeci, eo quod præsumperat ascendere cubile viventis patris sui." Parker, 409.

† Rot. Parl. iii. 427.

ments, with the forms of which he was not familiar. On one condition, he suggests that a peace should be made, namely that the Scots should not harbour the king's enemies, and that they should deliver up the fatuous person—illum fatuum—calling himself King Richard, so that no christian blood might be shed without purpose. He says that by that "*ydolum*" calling himself King Richard, many contentions, insurrections, and schisms had been caused among the king's lieges.* This shows that an impostor, as Arundel regarded him, existed, and that it was worth while for the Government to have possession of him.

After the deposition of Richard, Arundel, having avenged his brother's death, did not take that prominent part in public affairs by which he had hitherto been distinguished. Nevertheless, Henry IV. found him one of the few who remained faithful to him to the last; and though he had no ambition for public office, his services were always at the king's command. For the convenience of the king he accepted the Great Seal in 1407,† and again in 1412.‡ In the foreign negotiations of 1411, arising out of the Orleans and Burgundian factions, he visited the Continent as an ambassador.§ But his chief care was to assist the king in his pecuniary difficulties. These were at times very great, and the king—and, what is more, his parliament—dared not tax the people. By a

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* MS. Cott. Vesp. f. vii. fol. 88. The letter, which is imperfect and in Latin, is printed in the *Archæologia*, xxiii.

† Rot. Claus. 8, Henry IV. m. 23. He retained office on this occasion until the 21st December 1409.

‡ Hardy's Catalogue, 48. He held office on this occasion till the death of Henry IV. in March, 1413. He was not reappointed by Henry V.

§ See *Fœdera*, iv. Parl. Hist. 2, p. 194, et passim. Arundel's name is not mentioned, but his absence from a convocation held this year is attributed to his being on an embassy.

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remission of taxes the king purchased his popularity; and his title would have been questioned, by all who were unwilling to pay, if they were imposed. In Arundel he found a friend in his need. When, in 1400, money was indispensable to protect the country from invasions which threatened it from the North and on the coast, the archbishop suggested a voluntary contribution from the peers, and a grant to the king, for his own use, of the estates forfeited under the rebellion which, headed by the Earls of Kent, Salisbury, and Huntingdon, had just been put down. The Lords Spiritual and Temporal contributed largely, and Arundel managed the other clergy so well that not a year passed without the convocation of a synod; and these synods were always induced to vote the required subsidies.

The clergy had for the last thirty years been continually assailed, and they felt that their possessions were in jeopardy. They were, in these lawless times, alarmed by the threatenings addressed to them from various quarters; and the Lollards, now become a political sect, sometimes succeeded in obtaining a majority in parliament, at which attacks were immediately made upon the clerical order—in the shape of petitions to the king, or (as we should now say) of bills, introduced to cause annoyance, or to give an indulgence to party spite, without expectation of their being carried.

The most extraordinary assault of the kind was that which was made by the *Parliamentum indoctum*, or the Lack-learning Parliament, held at Coventry in 1404. From this parliament (to please the lower orders, it may be presumed) all lawyers were excluded.* The clergy were,

* The chancellor, in summoning this parliament, inserted in the writs a prohibition that no apprentice or other man of the law should be elected. He did this in accordance with an Act passed in the 46th year of Edward III. It did not absolutely exclude lawyers from parliament, as

of course, represented: if they were excluded from the lower House, the Lords Spiritual, as one of the three estates of the realm, must needs be present in the House of Lords. The chancellor was Henry Beaufort, afterwards the cardinal of that name. He reminded the parliament that the country was threatened by the Scotch, the Welsh, the French, and the Flemings. He stated that the exchequer was exhausted; that the king's revenues were insufficient to furnish the necessary defences; and that a subsidy was in consequence absolutely necessary, although it was well known that the king was unwilling to impose a tax upon his people. This was met in the commons by a petition to the king, in which it was stated that the greater part of the property of the kingdom had been engrossed by the clergy, who were living in idleness, and did little for the public good. It was suggested that a confiscation of all the revenues of the Church, and the application of them to national purposes, would be a measure highly expedient.

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in the upper House many members of the council were lawyers, and most of the bishops. Such were Arundel and Beaufort. But lawyers were excluded from the House of Commons. Hence the lawyers have called this the *Parliamentum indoctum*, or the Lack-learning Parliament. In the reign of George III. the clergy were excluded from the House of Commons. The exclusion of any profession from a house to which all Jews, infidels, and heretics (if not Turks) may be admitted is manifestly absurd and inconsistent. Why a clergyman, if elected by the people, should not be permitted to take his seat it is hard to say. The Church would prevent his doing so while holding preferment, since residence would be required; and it is not probable that anyone would be elected but an unbeneficed clergyman—a man who has come into an estate. But these are questions for the electors and the Church, not the house, to decide. If one profession, as such, is excluded, there is no reason to be assigned against the exclusion of another; and the fact that the most learned lawyer is unable to rise to the higher posts in his profession, until he has served as a minister in parliament, might be urged as a reason for the exclusion of lawyers, though, of course, a reason as insufficient as that which excludes the clerical profession.

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Arundel was ready with his reply. The clergy had always contributed more to the public service than the laity; for when the latter gave only a fifteenth, the clergy very frequently granted the crown a tenth. In the wars, they did not indeed, attend the king in person, but they sent their tenants to serve, while they also assisted him with their prayers. An altercation ensued between the archbishop and Sir John Cheney, who declared himself an infidel as to the efficacy of prayer, and maintained that the lands of the clergy would be far more beneficial to the public than their prayers. The archbishop protested against such profaneness; and, turning to Cheney, he said, "As for you, sir, who think proper to speak with scorn of the functions of the clergy, I promise you, that you will find an invasion of the rights and possessions of the Church no very easy matter." Then rising with dignity he approached the king, and, as the custom was, bent his knee before him, entreating him to remember his coronation oath, and to extend his protection to the clergy. The king, aware that this was only a party move, replied at once that, so far from countenancing these newfangled notions, his ambition was to leave his Church in a better condition than that in which he had found it.

The archbishop was able to retort upon those who had attacked the Church, by alluding to a recent and disgraceful transaction. In the parliament of 1402, it had been enacted that all alien priories should be suppressed. The Privy Council had carried the measure into effect, by receiving evidence of the foundation of religious houses. The archbishop accused his opponents (and by the accusation he silenced the present anti-church faction) of having diverted the revenues of the friars-alien from the public purse to their own. Instead of permitting the forfeited lands to replenish the revenues of the crown, the persons foremost in promoting that measure had begged the estates

for themselves ; “ and so,” he said, “ if the king were now to comply with your project, he would not, in a year’s time, be a farthing richer than he is now.”*

Another attack was made in parliament, upon the revenues of the Church, in 1410. Sir John Oldcastle (Lord Cobham), a violent and influential leader of the Lollards, introduced a bill in this form :—

“ To the most noble excellent Lord the King and all the nobles in this present parliament assembled, your faithful Commons do humbly show that our Sovereign Lord the King may have the temporal possessions and lands which by the bishops, abbots, and priors are spent and wasted in the realm, which would suffice to find the king with 15 earls, 1,500 knights, 6,200 esquires, and 100 almshouses, for the relief of poor people, more than there were then in England. That every earl should have, of yearly rent, 3,000 marks ; every knight 100 marks and 4 ploughlands ; every esquire 40 marks and 2 ploughlands ; and every almshouse 100 marks, and be overlooked by two secular priests to each house. And, over and above all these, the king might put yearly into his own coffers 20,000 pounds. Provided also, that every township should maintain their own poor, that could not labour ; on condition, that if any was overburdened with them, then the said townships to be relieved by the almshouses aforesaid. And for to bear the charges of all these things,” the commons affirmed, in their bill, that the temporalities then in the possession of spiritual men amounted to 322,000 marks yearly rent. The commons also alleged, “ That over and above the said sum of 322,000 marks, several houses of religion in England possessed as many temporalities as might suffice to find 15,000 priests, every priest to be allowed, for his stipend, seven marks a year.” †

The archbishop availed himself of these manifestations of a hostile spirit towards the clergy for the purpose of

* Minutes of Privy Council, 190, 199 ; Walsingham, ii. 265 ; Daniel, in Kennett, 290 ; Rapin, 495, 496 ; Stow, 330 ; Speed, 619.

† Walsingham, ii. 282 : Titus Livius, Parl. Hist. ii. 113.

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making that body amenable to the purposes of the king. He frequently produced messages from the king, assuring the clergy, who were beginning to feel alarmed at the revolutionary proceedings of the Lollards, of the royal determination to protect them in the maintenance of their own; and, both in gratitude and as a retaining-fee, they were liberal in their pecuniary aid. In the very first year of his reign, the king, prompted by the archbishop, had sent the Earls of Northumberland and Westmoreland to announce to the clergy the king's determination to maintain them in all their privileges and immunities. The earls were, moreover, commissioned to assure the convocation, that the king was ready to concur with them in any measures they might think proper to adopt for the extirpation of heresy and the restraint of obstinate heretics. The message was considered the more necessary, as the king's father, John of Gaunt, was known to have been at one period, the patron of Wiclif. The reference to the obstinacy of heretics is important. The general impression was, that when once it was found that a man's opinion differed from what had been ruled by the Church, it was nothing but a perverse obstinacy that prevented him from abjuring his heresy, and from seeking reconciliation with the Church he had ventured to insult.

The same government, however, which was prepared to support the clergy of the Church of England against the attacks of the Lollards, was equally resolute in resisting Roman aggression; and was thus prepared to protect them from the pope. At this very time, an Act against papal provisions was passed, and it was enacted, that "no provisions should be brought from Rome by any religious person to exempt them from obedience to the secular power; that all such persons as shall bring such provisions into the nation shall incur the penalties of a præmunire; that no person shall carry any gold or silver

coin out of the nation without a special licence from the king; and that if anyone shall presume to do to the contrary, he shall forfeit all the said coin to the king."*

In the sixth year of Henry's reign, a more stringent Act on the same subject was passed. The preamble commences with a reference to the "horrible mischiefs and damnable custom *introduced of new* in the Court of Rome, that no parson, abbot, or other, shall have provision of any archbishopric or bishopric which shall be void till that he has compounded with the papal chamber to pay great or excessive sums of money, as well for the firstfruits of the said archbishopric or bishopric as for other lesser services in the same court." It was then enacted, that all who should pay to the said chamber, or otherwise, for such firstfruits or services more than the customary fee, shall forfeit as much to the crown as these compositions at Rome shall exceed the customary value.†

This was a great relief to those of the clergy who expected high preferment in the Church. To understand the grievance, we must bear in mind the manner in which the higher preferments of the Church were at this time conferred. The king assumed the right, as founder of the several dioceses, to nominate a bishop when a see was vacant; the chapter contended for the right of election; the pope asserted the right to appoint by provision, which was at this time only another word to signify nomination. These were little more than forms. The real power in the fourteenth and fifteenth centuries, as in the nineteenth, was vested in the crown; but it was effected in this wise. The king issued a *congé d'élire*, as now, to the chapter, naming the clerk to be elected: if his nominee was elected, as was almost sure to be the case, he was satisfied.

* See Statutes at large, 2 Henry IV.

† See Statutes at large, 6 Henry IV., cap. 1.

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The chapter obeyed the king, but welcomed the bishop as their own choice. When the chapter had elected, the king notified the fact to the pope, and he immediately nominated the royal nominee, issued bulls, and maintained that, in spite of English statutes, the new bishop was appointed by papal provision. The king could afford his permission to both chapter and pope to theorise as they might think fit, so long as they permitted the real power to rest with him. But as metropolitans might refuse to consecrate without receiving a bull, it was judged expedient to obtain such, although the person to whom it was granted was obliged before consecration, to make oath that he renounced everything contained therein, which was prejudicial to the rights of the crown. The exorbitant demand which, in spite of the secular power, as well as to replenish the papal treasures, was demanded for these bulls was the grievance; and this grievance the present Act was designed to mitigate, if not to remove.

It was not merely in defending the Church from the attacks of the Lollards at home, or in resisting the aggressions of the papal authorities from without, that the archbishop was employed. Another class of dissenters at this time appeared in England to confound the confusion, already great. The Bianchi and Albini appeared in this country, and evidently obtained a following and some success: for Italian contemporary writers represent this as a sect originating in England.* They appeared to have resembled the poor preachers among the Lollards in that they were diligent preachers: in all other respects they differed. They went from town to town in procession, following a large crucifix and chanting hymns as they walked. They were arrayed in white, and wore long

* See Spondanus, i. 671.

veils that they might not be known. Against them a proclamation was issued.*

Oxford was a place where freedom of thought was encouraged and independence of action maintained. In these troublous times, to Oxford the attention of the archbishop was called. There was a party in the university which had already drawn a distinction between Wiclif, the learned schoolman, and the Lollards, who, while professing to hold his religious tenets, were becoming a mere revolutionary faction in the state. There was a large party, indeed, in both universities, who were willing to remain loyal subjects to the crown, and, like Wiclif himself, to conform to the Church ; but who asserted the orthodoxy of the great doctor, and who, with certain explanations, accepted—though they did not think it expedient at that time to propagate—his peculiar doctrines. It never seems to have occurred to Arundel's mind, that opposition could be met by anything short of physical force or direct legislation. He was himself no scholar—he was only a Bachelor of Arts :† and he was spoken of at Oxford in terms similar to those which would be employed in the present day if (as we know to have been lately contemplated) a clerk were nominated to an episcopal see who had never graduated at either of the universities.

In the July of 1408, the archbishop summoned a provincial council to meet at Oxford. Here certain constitutions against the Lollards were drawn up. These, however, the archbishop was afraid to promulgate at that time and place. Their publication, therefore, was delayed until another convocation was held at St. Paul's Cathedral, in London, in the following January.‡ By these

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* Rot. Parl. iii. 124.

† So says Wood ; but Gower, as quoted at page 444, makes him, probably by mistake, D.C.L.

‡ Lyndwood, 288 ; Spelman, ii. 662 ; Lyndwood App. 64 ; Wilkins,

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constitutions the clergy are warned, under penalty of being regarded as abettors of heresy, against permitting unlicensed persons to preach in their churches, churchyards, or anywhere else.* Schoolmasters are prohibited from instructing their pupils in the sacraments or other theological points contrary to the determination of the Church, and are cautioned not to permit their scholars to dispute publicly or privately upon such subjects: and it is forbidden any person to read Wiclif's translation of Scripture, or any other book, composed by John Wiclif or any other in his time or since, in any schools, halls, inns, or other places whatsoever within the province of Canterbury, unless it has first been examined and unani- mously approved by the Universities of Oxford and Cam- bridge.

A strong party in Oxford resisted these measures, directed as they were so pointedly, against all the maintainers of Wiclif's doctrines. The two parties—the supporters of Wiclif on the one side, and his opponents on the other— were pretty equally balanced. On this account, and from the pressure of other business, the archbishop postponed the visitation of the University of Oxford until 1411. He then issued his citation, in which he warns the chancellor, doctors, masters, and scholars, and all others belonging to

iii. 314. Wilkins gives the following note:—"Eli. ad A. C. 1407 Con- cillum hoc remittit Constitutiones hæ in provinciali concilio Oxonii habito editæ et deinde repetita promulgatione in concilio hoc Londi- nensi sancitæ fuerunt."

* According to Lyndwood, Provinciale, 289, the pope was allowed to preach everywhere; the bishop everywhere in his own diocese, or in any other place if not prohibited by the diocesan. A master or Doctor in Divinity, or any preacher licensed to any parish or parishes, might be permitted to preach by any curate in transitu. Dominicans and Franciscans (friars, preachers, and minorites) might preach anywhere of common right. These preachers were now restrained, as it was difficult to distinguish them from the Lollards.

the university, to appear at his coming, and to make answer to the things that should be laid before them. Arundel departed from London in great state, with "a fair retinue," comprising many persons of honour; and among them his nephew, Thomas Earl of Arundel. He approached the city of Oxford. The authorities, headed by the chancellor and the two proctors, Benedict Brent and John Byrch, were seen coming forth to meet him. The archbishop received them, and was informed that, if he was coming to Oxford as a stranger, he would be welcomed as a guest so distinguished ought to be. They added, however, that they would not permit him to enter the university as a visitor, in the official sense of the word. The university, they declared, was by law exempt from the visitation of archbishops and bishops, their officers or ordinaries. The heads of the university were accompanied by a mob of undergraduates, armed with swords and bows and arrows. These undergraduates showed as little respect for authority in the fifteenth century as in the nineteenth. Their acclamations were, however, at that time, resented by Arundel as an insult, instead of being regarded as the exuberance of juvenile feeling.

It is strange that the chancellor of the university had not signified the determination to decline the visitorial jurisdiction of the primate before the archbishop had encountered the expense and fatigue of his journey. But, whether the manner of meeting him was a studied insult or a mere afterthought, we are not surprised at finding feelings of indignation excited in the archbishop's mind by being unexpectedly exposed to ridicule, especially among the youth of the country. The power of the Church was no longer what it had been, and the Archbishop of Canterbury appealed to the king for protection. The king, of course, espoused the cause of Arundel. What were the precise measures of redress which the king,

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at Arundel's suggestion, was advised to take, the records of the university do not affirm. It only appears that neither the king nor the primate was prepared to attach much weight to the bull of exemption obtained by the university from the pope in the reign of Richard II. On the other hand, the university was determined to resist what was regarded as an invasion of its liberties, privileges, and customs. The masters suspended their lectures, and the scholars, in consequence, were dispersed. The controversy waxed hot, but was at length settled by a compromise, effected through the mediation of the Prince of Wales. "Prince Hal" was himself a member of the university; and to his arbitration the younger members as well as those at the head of affairs would be ready to submit. That the arbitration was a just one is evident from the fact, that it gave satisfaction to neither party. The proctors had been imprisoned in the Tower; the archbishop was required to have compassion on them, and to sanction their release. At the same time the undergraduates, who had resisted the archbishop with swords and bows and arrows, "were to be corrected with rod and ferula." The bull of Boniface IX., which was pleaded to exempt the university from archiepiscopal and episcopal visitation, was adjudged prejudicial to the crown, and was therefore null and void. The king was declared to be the visitor, but the right of the archbishop was admitted to hold a visitation, "*Quoad inquisitionem super hæretica pravitate.*"*

The archbishop had already appointed twelve persons in the university to examine the writings of Wiclif, and to condemn any heretical conclusions that might be found therein.† These persons now resumed their labours, and

* These statements are made on the authority of Wood's Annals, i. 547, et seq., where the authorities are cited.

† Wilkins, iii. 322.

declared not only that many members of the university were preachers of sedition in England, but also that “certain forged letters, being testimonials in defence of dissensions, heresies, and errors, were sent by these men to foreign parts, privily sealed with the common seal of the university, without previous consultation with the masters and doctors, to the great scandal of the whole kingdom of England, and especially of our Mother Church.”*

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The object of Arundel at this time, was twofold. He wished to show the nullity of the distinction made at Oxford between the teaching of the great doctor, John Wiclif, and the revolutionary principles of his successors, the Lollards. He desired also to commit the Court of Rome to some action, which would alienate the pope from the university, at a time when the university was willing to set up the pope against the primate—according to the prevalent inclination to submit to a distant and therefore a weaker authority, in order to defy the discipline of an immediate and therefore more scrutinising ordinary. Arundel accordingly caused 267 heresies and errors to be extracted from the writings of Wiclif.† These he sent to the pope, with a request that he would solemnly condemn them as heretical. With this request the pope easily complied. But Arundel was aware that Wiclif might still be regarded as a saint, and he also therefore requested that Wiclif’s body might be exhumed and, being deported from consecrated ground, be buried on a dunghill. There was nothing in the spirit of the age which revolted from such a proceeding. Such things had been done, and there was

* Wilkins, iii. 336. Among these forged documents was the testimonial of the university to the merits of John Wiclif, which was read by John Huss at Constance.

† Ibid. iii. 339.

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no reason why they should not be repeated. But the pope was advised that, however opposed in general to papal rescripts, the university was now engaged in a controversy to maintain the authority of a papal exemption; and, on the ground of not being willing to add fresh fuel to fire already too hot, the proposal of the archbishop was rejected or deferred.

We have hitherto seen Arundel under various phases. He was a man devoted to the interests of his family—an affectionate brother, and a judicious uncle and guardian. As a prelate he was munificent; as a statesman he evinced considerable abilities, though without much principle. He was unscrupulous as to the means by which his ends were to be accomplished, and was never at a loss to decide whether a feeling of revenge or of patriotism instigated him, when in resisting oppression he became a chief actor in the late revolution. We have now to contemplate him in the character of a judge. He was unbending and stern in the administration of the law: but while we condemn the law, we are hardly justified in applying to its administrator those harsh terms, which are dictated by the cruel and intolerant temper which animated such men as Bale, Fox, Prynne, and, alas! too many of their modern imitators and advocates.

On the election of Henry IV. to the throne of England, the state of the country, in the opinion of those who retained any portion of the old conservative feeling, was most perilous. There were three great parties: the revolutionary party, with Henry IV. at its head; the faithful few who adhered to Richard II., and regarded as a profane act the deposition of an anointed king; and the supporters of Edward Mortimer Earl of March, who had some idea of hereditary succession in the modern sense of the term—an idea which became stereotyped under Edward IV. The revolutionary party, being suc-

cessful, was the strongest, but the other two were always prepared to seize an opportunity, if any opportunity were offered, to overthrow a government not yet securely established. The government felt therefore the difficulty, as we have before observed, of raising money, as heretofore, by taxation. The right of the parliament under such circumstances to tax might be questioned by either of the two parties in opposition, and payment could only be obtained by a coercion, which might render unpopular a king whose existence depended upon his popularity.

In the midst of this divided population, the Lollards were pervading the country, preaching revolution in Church and State. They began with the extremest puritanism, and ended in preaching doctrines such as have seldom been heard, except during the great revolution in France. How were they to be dealt with—as heretics or rebels? The difficulty was met by treating them sometimes as the one and sometimes as the other.

In the year 1400, a rebellion, under three great earls and Lord Despencer, had been with difficulty crushed. In the Minutes of the Privy Council it is stated, that the traitorous attempt of these lords had rendered the common people insolent (*fiers*), and that the justices were prevented from finding a remedy for the offences committed by lawless gangs of people, in consequence of the turbulence and audacity (*destourbance et fiertée*) of the populace, resolute to resist unarmed authority.*

It was under these circumstances that the Statute Book of England was disgraced by a statute which is justly denounced in terms of detestation—the statute “De Hæretico comburendo.”

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* Minutes of Privy Council, xxxiii.

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The condition of the country was such, that an entire disruption of all society, immediately after the revolution, was to be feared, unless strong measures were adopted. The party most lawless, and most to be feared, was that of the Lollards. They were powerful, because they made religion, in an age when the corruptions of the Church had become almost intolerable, the basis of their operations. All men admitted that they were heretics. "If they were heretics," it was demanded of the ecclesiastical authorities, "why do you not punish them?" The answer was, "We can only excommunicate them, and for our excommunication they do not care. We have no power to punish them in any other way."

Nothing can be clearer than that up to this time, heresy was regarded in England as an exclusively spiritual offence, exposing the offender to spiritual censures; but not punishable by forfeiture of lands or goods, much less by the infliction of death.*

Under these circumstances the House of Commons, at the commencement of Henry IV.'s reign, petitioned for a law which might effectually restrain unlicensed preachers, and sanction the seizure and detention of persons propagating the new doctrines. The object was to strengthen the hands of the ecclesiastical judges; and a statute for this purpose was enacted. Instead of proceeding, as now, by bill, the form then was for the House of Commons to make a petition, to which the king, advised by the House of Lords, gave his assent,—the petition so granted becoming a statute of the realm. It was thus that the statute "De Hæretico comburendo" is represented as the conjoint act of the *prælati et clerus ac etiam communitates dicti regni in eodem parlamento*, receiving the royal assent.†

* Blackstone, edit. Stephens, iii. 50; Hale, P. C., i. 392; Hawk, B. i. c. 1, § 10.

† Rot. Parl. iii. 459, 460.

It is said by some that the clergy were the sole offending parties on this occasion. It may be so : but in writing history, we are obliged not to draw from the imagination but to state facts as they are recorded, and, according to the record, the offence committed by this act was a national offence,—the Lords Spiritual and Temporal, the Commons in Parliament assembled, and the King, all giving their consent.

The statute, so long a curse and a disgrace to the country, having mentioned the rising of a new sect of heretical preachers, who promote their heresies by forming unlawful conventicles and confederacies, exciting and stirring up the people to sedition and insurrection, enacts that no one shall preach without a licence, or preach, hold, teach, or instruct the people, openly or privily, contrary to the determination of Holy Church, and that all heretical books shall be given up to the bishop of the diocese. Offenders against the Act are to be arrested by the diocesan, and proceeded against according to the canons. Being convicted, they were to be detained in prison, and fined at the discretion of the diocesan. Any person refusing to abjure was to be left to the secular court. He was to be delated before the mayor, sheriff, or bailiff of the city, town, or borough ; and the fact of his condemnation for heresy having been proved, he was then, in a high place, before the people, to be burnt, for the terror of others.*

Such was the execrable law. Arundel was not in advance of his age, and felt no greater repugnance against the law itself, than did our commercial ancestors when they enacted that a man should die for forgery—an awful law, under which, within our own memory, hundreds of lives were lost. It was the calamity rather than the

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* Gibson's Codex, 400.

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crime of Arundel, that he was the first judge called upon to carry this law into effect.

William (or, as the style then was, Sir William) Sawtree, or Sautre,* was a chantry priest or, as we should now say, a curate of St. Bennet Sheerhog;† or St. Osyth, contracted into St. Scyth, in London. Why he should have been selected as the first person to be prosecuted under the Act "De Hæretico comburendo" it is difficult to conjecture. Perhaps it was determined to make an example; and, to prevent any great excitement of popular feeling, it was thought expedient to commence proceedings with an insignificant person. Sawtree—who, before his coming to London, had officiated at St. Margaret's, in Lynn—had been arraigned and convicted of heresy in the diocese of Norwich. He had asserted that he would worship not the cross, but only Christ who suffered on the cross; that he would rather worship a man predestinated to life than an angel of God; that it were better to distribute the expenses of a journey to Rome or to Canterbury, in doles to the poor than to make a journey to either place; and that every priest and deacon is more bound to preach than to observe the canonical hours, or to perform divine service. He likewise denied the doctrine of transubstantiation. For these opinions he had been tried; and, not

* Newcourt, Repertorium, i. 305.

† The church of St. Bennet Sheerhog was situated on the north side of St. Pancras Lane, and was formerly called St. Sithe's Church. The prior of St. Mary Overies was the patron, and on the dissolution of the monasteries the patronage came to the Crown. It was destroyed at the Great Fire, and not rebuilt. The parish was attached to that of St. Stephen, Walbrook. The site of the old church was used as a cemetery. Sawtree could not have been the rector, as is sometimes supposed. He was executed in 1400, and John Newton was parish-priest or parson from 1396 to 1427. The prefix of "Sir" to his name indicated that he was not a university man, but was ordained, as we should now say, a literate. See Stow's London, R. iii. B. 50; and Newcourt, i. 303.

being gifted with great physical courage, he recanted, and was received back into the bosom of the Church. He withdrew his recantation at the commencement of Henry's reign, and, putting himself prominently forward, he petitioned parliament for permission to dispute before them on points of doctrine. Parliament referred the matter to convocation.

On the 12th of February, he was brought before convocation—not, however, as a disputant, but as a criminal. His courage again failed him: he prevaricated, and, as the manner in such cases is, he explained away the meaning of his words. Finding that this did not give satisfaction, the poor man denied that he ever abjured the opinions he now held. This was a vital point. If he were a relapsed heretic, his sentence of condemnation would follow as a matter of course. If this were a first offence, he might abjure; and on his recantation be dismissed with a warning and admonition. Norwich was far off; travelling was not easy; and means of communication with Norfolk were difficult. He determined, therefore, to risk a falsehood. The question was whether he was a heretic simply, or a relapsed heretic. He denied that he had ever been tried before on the charge of heresy. He probably hoped, that his friends would contrive some means for his escape. He was kept in safe custody, and in a few days was brought again before the convocation. The instrument of his recantation was produced, duly attested, from the register of the Bishop of Norwich. The poor Lollard was condemned as a relapsed heretic.

With the verdict—unanimously returned by the bishops, priors, deans, archdeacons, doctors, clerks, and others—the archbishop, as judge, expressed his concurrence. The sentence was pronounced on the Wednesday; and the convocation then adjourned till Friday, when the archbishop was prevented, by parliamentary business, from attending.

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On Saturday, the 26th of February, Arundel took his seat with great state in St. Paul's. His assessors were the Bishops of London, Lincoln, Hereford, Exeter, and St. Davids. They were arrayed in their pontifical vestments. William Sawtree, robed as a priest, was brought before them. The cathedral was filled with a multitude, eager to watch the proceedings. The archbishop addressed them in an English speech: he is said to have declared and expounded to the whole congregation, both clergy and people, the process against Sawtree. He read the sentence on the relapsed heretic, and then proceeded to the degradation and actual deposition of the heretical priest, in the following terms:—

In nomine Patris et Filii et Spiritus Sancti, Amen! We Thomas, by God's permission Archbishop of Canterbury, Primate of All England, and Legate of the Apostolic See, do thee William Sautre, otherwise called Chatris, chaplain pretended, clothed in the habit and apparel of a priest, a heretic and one relapsed into heresy, by our sentence definitive condemned, by the counsel, assent, and authority, and by the conclusion of all our fellow-brethren, our co-bishops and prelates, and of the whole clergy of our provincial council, degrade and depose from the order of a priest: and in sign of thy degradation and actual deposition, for thine incorrigibility, we take from thee the paten and chalice, and do deprive thee of all power of celebrating the mass; and also we pull from thy back the chasuble, and take from thee the priestly vestment, and deprive thee of all manner of priestly honour.

Item. We Thomas, the aforesaid archbishop, by the same authority, counsel, and assent as before, do thee the aforesaid William, deacon pretended, clothed in the habit and apparel of a deacon, having the book of the Gospels in thy hands, a heretic and one relapsed into heresy, condemned by sentence as is aforesaid, degrade and depose from the order of a deacon: and in sign of this thy degradation and actual deposition, we take from thee the book of the Gospels, and the stole, and do deprive thee of the power of reading the Gospel and of all, and all manner of diaconal honour.

Item. We Thomas, archbishop aforesaid, by the same authority, counsel, and assent as before, do thee the aforesaid William, subdeacon pretended, clothed in the habit and vestment of a subdeacon, a heretic and one relapsed, condemned by sentence as is aforesaid, degrade and depose from the order of a subdeacon: and in sign of this thy degradation and actual deposition, we take from thee the albe and maniple, and do deprive thee of all, and all manner of subdiaconal honour.

Item. We Thomas, archbishop aforesaid, by the same authority, counsel, and assent as before, do thee the aforesaid William, acolyte pretended, clothed in the habit of an acolyte, heretic and relapsed, by our sentence as is aforesaid condemned, degrade and depose from the order of an acolyte: and in sign of thy degradation and actual deposition, we take from thee the candlestick and taper, and the urceolum, and do deprive thee of all, and all manner of honour of an acolyte.

Item. We Thomas, archbishop aforesaid, by the same authority, counsel, and assent as before, do thee the aforesaid William, exorcist (or holy-water clerk) pretended, clothed in the habit of an exorcist, being a heretic and relapsed, and by our sentence as is aforesaid condemned, degrade and depose from the order of an exorcist: and in sign of this thy degradation and actual deposition, we take from thee the book of Exorcisms, and do deprive thee of all, and all manner of honour of an exorcist.

Item. We Thomas, archbishop aforesaid, by the same authority, counsel, and assent as before, do thee the aforesaid William, reader pretended, clothed in the habit of a reader, a heretic and relapsed, and by our sentence as is aforesaid condemned, degrade and depose from the order of a reader: and in sign of this thy degradation and actual deposition, we take from thee the book of the Divine Lections (that is, the book of the Church Legend) and do deprive thee of all, and all manner of honour of a reader.

Item. We Thomas, archbishop aforesaid, by the same authority, counsel, and assent as before, do thee the aforesaid William Sautre, sexton pretended, clothed in the habit of a sexton, and wearing a surplice, being a heretic and relapsed, by our sentence definitive condemned as aforesaid, degrade and depose from the order of a sexton: and in sign of this thy degradation and actual

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deposition, for the causes aforesaid, do take from thee the keys of the church, and the surplice, and do deprive thee of all honour and commodity of an ostiarius.

Moreover, by the authority of Almighty God, the Father, the Son, and the Holy Ghost, and our own, and by the authority, counsel, and assent of our whole council provincial above written, we do degrade and depose thee William Sautre, alias Chatris, from the orders, benefices, and privileges, and the habit and fellowship of the Church, for thy pertinacy incorrigible, before the secular court of the high constable and marshal of England, being here personally present before us; and do strip and deprive thee of all and singular clerical honours and distinctions whatsoever by these writings. Also, in sign of thy actual degradation and deposition, we have caused thy crown and clerical tonsure in our presence to be rased away and utterly to be abolished like unto the form of a secular layman, beseeching the court aforesaid that they will regard favourably the said William unto them thus recommended.

The unfortunate Sawtree—whose weakness must excite our pity, though we should prefer to have regarded him as a martyr to his opinions—was now delivered over to the constable and marshal, to await the king's pleasure. The king, by the advice of the lords spiritual and temporal, commanded that he should be publicly burnt in abhorrence of his crimes, and as an example to all Christians.* As this is the first prosecution under the Act, the reader is presented with the royal mandate:—

The decree of our sovereign lord the king and his council in the parliament, against a certain newly-sprung-up heretic.

To the mayor and sheriffs of London, &c. Whereas the venerable father Thomas, archbishop of Caunterbury, primate of all England, and legate of the apostolic see, by the consent, assent, and counsel of his co-bishops and fellow-brethren his suffragans, and of the whole clergy of his province in his

* Rot. Parl. iii. 459. Fœdera, viii. 178.

provincial council assembled, the due order of law in this behalf required being observed in all points, hath pronounced by his definitive sentence one William Sautre, some time chaplain, condemned of heresy, and formerly abjured by him in form of law but now relapsed into the heresy aforesaid, to be a manifest heretic, and therefore hath decreed that he should be degraded, and hath for the same cause really degraded him from all clerical prerogative and privilege, and hath decreed the said William to be left to the secular court, and hath really so left him, according to the laws and canonical sanctions set forth in this behalf, and that holy mother church hath no further to do in the premises: We therefore—as zealous of religion and a lover of the Catholic faith, being desirous to maintain and defend holy church and the rights and liberties of the same, and as far as in us lieth to pluck up by the roots such heresies and errors of our realm of England, and with condign correction to punish all heretics or such as be convict, seeing that such heretics convict and condemned in form aforesaid ought, both according to divine and human law, and the canonical institutions in this behalf accustomed, to be burned with fire—do command you as strictly as we can, firmly enjoining you that you cause the aforesaid William, being in your custody, in some public and open place within the liberties of the city aforesaid (the cause aforesaid being published unto the people), to be committed to the fire, and him in the same fire really to be burned, for detestation of his crime and the manifest example of other Christians: and hereof ye are not to fail upon the peril that will fall thereupon.—Teste Rege, apud Westm. 26th Feb. an. regni sui 2do. [A.D. 1401.]

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The horrible sentence was duly carried into effect.

Of this sanguinary law against heresy the second victim was John Badby, a tailor of Evesham, in the county of Worcester. By his firmness and determination this man did honour to his cause. He denied the doctrine of transubstantiation; and was, in the year 1409, pronounced heretical in the diocesan court of Worcester. Under what circumstances the case was brought from the

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diocesan to the provincial court is not apparent; but the conduct of the archbishop, when the case came before him in March 1410, was judicious, and such as clearly showed his deep sense of the awful responsibility attached to his office as an ecclesiastical judge. Besides the Archbishop of York and the Bishops of London, Winchester, Chichester, and Norwich, he summoned as his assessors the Duke of York, the Earl of Westmoreland, Lord Beaumont, and many others, to enumerate whom, as Arundel himself says, would be tedious.* The archbishop addressed them in the vulgar tongue, and explained the nature of the case.

The greatest pains were taken to induce the prisoner to submit to the judgment of the Church. There was no attempt, no inclination displayed to force the prisoner to criminate himself. The whole object of the archbishop was to give the reputed heretic the means of escaping the penalty of the law by the only possible course which, in the opinion of the court—whether the court was right or wrong—lay open to him.

We have had to dwell on the faults of Arundel: and few readers will feel, perhaps, much sympathy with a man who from a spirit of revenge, it is to be feared, rather than of patriotism, abetted, if he did not organise, a revolution. But he was not a harsh-tempered man, and he cared little for the niceties of theological controversy. He was not a man who would have vituperated those who differed from him, as is the manner of some theologians. Let us try to understand his position.

That an uneducated tailor should set up his opinion in opposition to the dogmas of the Church Universal was, in those days, regarded as something so absurdly monstrous, that men could only come to the conclusion that the heretic must be either mad or possessed of the devil. Why

* Arundel Reg.

a man possessed of the devil should be burnt to death it is not easy to understand; but everyone, including the Lollards, would in those days have concurred with Arundel in his opinion upon the subject: and if we judge of the Lollards from their language, we can hardly doubt that they attributed moral depravity to those who differed from them in opinion, and that, if they possessed the power, they would have proceeded against Arundel precisely in the same manner in which he proceeded against them.

Badby was a really great man. He was what would now be called a rationalist: he used, that is to say, rationalistic arguments, as puritans have always done and still do; but he did not carry them out to their full extent. The force of such argumentation is stronger on the uneducated mind than on the educated. He did not deny the doctrine of the Blessed Trinity. He professed to worship one God in Three Persons; but the doctrine of the Holy Sacrament he treated as a rationalist. "If a priest," he said, "can by his word make God, there will be twenty thousand gods in England at one time. Moreover, I cannot conceive how, when Christ at the last supper broke one piece of bread, and gave a portion to each of His disciples, the piece of bread could remain whole and entire as before, or that He then held His own body in His hand." Men can ascertain the meaning of Scripture, or succumb to the doctrines of the Church; but when they use such arguments as these, they are only restrained from going further, by their prejudices. When Badby appeared the last time before the court, and was again questioned as to the nature of the elements in the Eucharist, he said, that "in the sight of God, the Duke of York," to whom he bowed, "or any child of Adam, was of higher value than the Sacrament of the Altar."

There was evidently something peculiarly attractive in this man's address and manner, which interested the

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bystander. The archbishop said openly if the man would only live according to the doctrine of Christ, he would pledge his soul for him at the day of judgment.

The archbishop was of course obliged to pronounce him guilty of the heresy, of which the party accused made a boast; and the poor man was delivered over to the secular arm. But it is expressly added by the registrar of the proceedings, that Arundel prayed the noblemen who were present to spare the poor man's life. This afterwards became a mere form; but the fact is here recorded as the spontaneous request of the archbishop. We have elsewhere mentioned how the Prince of Wales interfered in vain to prevail upon the reputed heretic to recant. But Badby died a moral hero: if any man was ever a martyr for his opinions he was one.

Another trial at which the archbishop was called to preside was that of Sir John Oldcastle (Lord Cobham). Sir John Oldcastle was a distinguished soldier, and had been held in high esteem in the reign of Richard II. He was of the party of the Duke of Gloucester, in that reign, and was one of the commissioners appointed on the permanent Council, in 1386. In 1396, he was adjudged to death by the packed parliament of Richard, but his sentence was commuted for banishment. He then attached himself to the revolutionary party, and returned to England with Henry of Lancaster, when he was restored to his forfeited possessions. In 1409 he became the fourth husband of Joan, the widow of Sir Nicolas Hauberk, a lady who represented the noble family of the Cobhams of Kent. He was summoned to parliament by writ, as the representative of his wife, in October 1409; and although he was summoned without any other designation than "Johani Oldecastle Chiv.," he was commonly called Lord Cobham.*

* See Sir H. Nicolas' *Historic Peerage*, 118.

Sir John Oldcastle was actively engaged in the Welsh wars, where he became intimately acquainted with the Prince of Wales. He was sent in 1410 to oppose the Duke of Burgundy, and gained everywhere the reputation of a valiant soldier and a skilful commander.* Whether the stories be true or not of the mad freaks of "Prince Hal," and whether or not Cobham was one of his wild companions, he showed symptoms of piety at an early period of life; and founded a charity for the maintenance of three chaplains at Rochester, where also he displayed his public spirit by building a bridge. In process of time, he became acquainted with the doctrines of Wiclif, and cordially embraced them. He insisted on the duty of man's accepting the truths of religion because he believed them; and he rejected the notion that doctrines were to be accepted simply because they were promulgated by the Church. Although at first a loyal partisan of the House of Lancaster, he seems to have become imbued with the socialist doctrines inherent in Lollardism, and gradually to have sunk into political and religious fanaticism.

But though an enthusiast in whatever he undertook, Sir John Oldcastle was not deficient in that precaution and management, which he knew to be necessary, when he determined to gratify his ambition by placing himself at the head of the Lollards.† He procured learned clerks from Oxford, and paid them large stipends to propagate his principles. He dispersed his emissaries and unlicensed preachers through the dioceses of London, Rochester, and Hereford, where his territorial possessions, or those of his

* Capgrave, 300, says of him: "A strong man in battayle he was, but a grete heretic, and a grete enemy of the Churche." The Lollards "trusted much in his witte and power."

† "Idem Johannes fuit et est principalis receptor et fautor, protector et defensor, Lollardorum."—Walsingham, 374.

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wife, gave him weight and influence. He protected them wherever they went by his armed retainers. He sought to alarm the king into the protection of Lollardism, and to intimidate the hierarchy by causing notices to be affixed to the doors of the London churches, affirming that the Lollards were 100,000 strong, and were ready to rise against all who did not favour their sect.

The archbishop felt that it would be worse than useless—it would be cowardly and cruel—to bring the law to bear upon tradesmen and the inferior clergy, if offenders in the higher ranks of life were permitted to escape with impunity. His course of proceeding shall be laid before the reader in the archbishop's own words. The document of which a translation is here given is interesting, as contemporary documents always are. It is headed thus:—“Processus magnus Domini Thomæ Cantuariensis contra Johannem Oldecastle militem Dominum de Cobham, in quo patet ejus examinatio, incarcerationio, et excommunicatio.”*

Thomas, by divine permission Archbishop of Canterbury, primate of all England, and legate of the apostolic see to our venerable brother the lord Richard, by the grace of God bishop of London, greeting and brotherly love in the Lord.

Lately in our presence, at the convocation of the prelates and of the clergy of our province of Canterbury in your

* Fascic. Zizan, 433. Foxe speaks of Arundel as “a beast,” “a wolf,” “a bloody murderer,” “a Caiaphas,”—and applies to him certain other epithets in that tone and spirit which it is impossible to admire. He is perhaps surpassed by Bale, Bishop of Ossory, whom Wood calls “foul-mouthed Bale.” There is no accounting for taste: and therefore we should not notice this if it were not necessary to remark on the extreme dishonesty of Foxe, who does not hesitate to falsify this and other documents in a manner which would lead us to suppose that he was oblivious of the sentence—more severe than any uttered by Arundel—which the Scriptures denounce upon all who wilfully pervert the truth. Foxe was at liberty to attribute the worst motives to his enemies, and the best to his friends; but he was not at liberty to change their words, and make them say what they did not say.

church of St. Paul, last celebrated when the treating with the said prelates of the union and reformation of the Church of England, amongst other points concerning which it was concluded by us and the said prelates and clergy, it was apparent that it was impossible to repair the rent in Our Lord's seamless garment unless previously certain magnates of the realm, the authors, favourers, protectors, defenders, and receivers of those heretics who are called Lollards were rigidly reprov'd, and if need be by censures of the Church, together with the invoking of the secular arm, recalled from their wanderings.

And subsequently, in the same convocation, on diligent inquisition being made among the proctors of the clergy and others who, from the several dioceses of our said province, were there present in great number, it was found amongst them, and detected and declared to us, that Sir John Oldcastell, knight, had been and is the principal receiver, favourer, protector, and defender of the same; and that, especially in the dioceses of London, Rochester, and Hereford, he has sent these Lollards to preach, who are by no means licensed by the ordinaries or diocesans of those places contrary to the provincial constitution made thereon; and has been present at their nefarious preachings, and restrained by threats and terrors, and by the power of the secular sword, any opponents whom he found there asserting and affirming, among other things, that we and our brethren the suffragans of our province neither had nor have any power of making any constitution of this kind. And he has thought and thinks, dogmatizes and teaches, otherwise concerning the sacraments of the altar, and penance, pilgrimages, and adoration of images, as well as the keys from that which the Roman and the Universal Church teaches and affirms.

Wherefore, on the part of the said prelates and clergy, we were then requested that, concerning and upon the premises against the said Sir John Oldcastell, we would deign to proceed. Wherefore, on the part of the law put to the clergy, we were then requested to condescend to proceed against the said Sir John Oldcastell concerning and upon the premises.

We, however, on account of respect for our lord the king, whose friend the said Sir John then was, as well as for the honour of the order of knighthood, together with all our brethren and

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suffragans of our said province being then present; and a great part of the clergy of our said province personally proceeded to the presence of our said lord the king, who was then at his manor of Kenyngton, and, making complaint against the said Sir John, partly declared the said Sir John's falling away.

But at the request of our lord the king himself, who wished to bring the said Sir John back to the unity of the Church without dishonour, we put off all execution of the premises for a long time.

But at length, as our lord the king had made no progress in bringing him back, after great labour, as our lord the king deigned to inform us, both verbally and in writing, we subsequently determined on summoning the said Sir John to make answer personally before us, concerning and upon the points premised at a certain time now passed by; and we despatched our messenger with our letters of citation to the said Sir John, who was then at his castle of Cowlyng, charging our messenger that he should by no means enter the castle of the said Sir John unless he were permitted; but by means of one John Boteler, doorkeeper of the chamber of our said lord the king, he should request the said Sir John either to give permission to our said messenger to enter, that he might cite him, or at least give him an opportunity of so doing outside his castle aforesaid, that by the citation he might be apprehended.

Sir John, however, made answer publicly to the said John Boteler, who explained to him the foregoing on the part of our said lord the king, that in no way would he be cited, nor submit to his citation in any form.

We therefore, being certified of the premises, lawfully proceeded further. First, having faithful report made to us that the said John could not be apprehended by personal citation, we decreed to cite him by an edict publicly affixed to the doors of the cathedral church of Rochester in his vicinity, little more than three English miles distant from the said castle of Cowlyng. As we thus caused him to be cited, and our edict aforesaid to be publicly and openly affixed to the doors of the said church, that he should appear before us on the 11th day of September now past, to answer personally concerning and upon the premises, and also certain other things concerning heretical pravity.

Which day being come, we, sitting on the tribunal in our great chapel within the castle of Leedes of our diocese, which we then inhabited and where we then kept residence with our court, and having taken an oath, which is requisite in the premises, and the information by us having been heard and received according to the assertion and as is commonly reported in the parts where the said Sir John lives, as it is premised that the said Sir John shuts himself up and fortifies himself in his castle aforesaid, defending his opinions, in contemning in many ways the keys of the Church and the archiepiscopal and episcopal power, we caused the said Sir John, cited as is aforesaid, to be openly and with a loud voice called by the crier, and so being called, long looked for, and by no means appearing, we judged him, as he was deservedly, contumacious, and in punishment of his said contumacy we then and there excommunicated him by writing.

And forasmuch as, from the order of the premises and other plain tokens and evidences of facts, we have understood that the same Sir John, in defence of his said error, fortifies himself and shuts himself up in his castle against the keys of the Church, as is aforesaid, on which account a vehement suspicion of heresy and schism arises against him, we have decreed, if he may be apprehended, again personally to cite the said Sir John, or else by an edict as before, that he should appear before us on the Saturday next after the Feast of St. Matthew the Apostle and Evangelist, next ensuing, to show some reasonable cause, if he has any, why we should not proceed against him to more severe punishment as a public heretic, schismatic enemy, and adversary of the Universal Church, and personally declare why he should not be pronounced such, and the aid of the secular arm be solemnly invoked against him, and further to answer, do, and receive, as touching the premises all and singular, what justice shall require.

Which time having arrived—viz., the Saturday next after the Feast of St. Matthew aforesaid, being the 23rd day of September—Sir Robert Morley, knight, keeper of the Tower of London, appeared before us, sitting on the tribunal in the chapterhouse of the Church of St. Paul in London, our venerable brethren the ords Richard of London and Henry of Winchester sitting with

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us, and brought with him the said Sir John Oldcastell, knight, and set him before us.

To whom the said Sir John Oldcastell, so personally present, we recited the whole order of the case, as is contained in the acts of the preceding day, in good and gentle terms and in a very soothing manner—viz., how he, the said Sir John, had been detected and accused in the convocation of the prelates and clergy of our said province, as is aforesaid, concerning and upon the articles before rehearsed, and how he was cited, and for his contumacy excommunicated. And when we had to come to this point, we offered ourselves ready to absolve him.

But the said Sir John, disregarding our offer, altogether deferred asking absolution, and, turning himself to other points, declared that he would willingly rehearse before us and our said brethren his faith, which he holds and affirms. And so, license having been sought and obtained, he took out of his bosom a certain schedule indented, and there read through the contents of the same in public, and delivered the said schedule to us. And the tenor of the articles upon which he was examined follows, and is thus:—

“I, Johan Oldcastell, knyght, lord of Cobham, wolle that alle Crysten men wyte and understonde, that yclepe Almyghty God in to wytnesse that it hath be, now is, and ever, with the help of God, schal be myn entent and my wylle to byleve, fethfully and fully, alle the sacramentys that ever God ordeyned to be do in Holy Chirche.

“And moreover for to declare me in these foure poyntys, I byleve that the moost worshipful sacrament of the auter is Crystis body in fourme of bred; the same body that was born of the blyssyd Virgyne oure lady seynt Mary, doon on the crosse, deed, and beryed, the thrydde day roos fro deth to lyve, the whyche body is now glorefyed in hevене.

“Also as for the sacrament of penaunce, y byleve that it is nedeful to every man that schal be savyd to forsake synne, and to do duhe penaunce for synne be foredon, with trewe confession, veray contrition, and duhe satisfaccion, as Goddys’ lawe lymyteth and techeth, and ellis may he not be savyd. Whyche penaunce y desyre alle men to doo.

“And as off ymagys I understonde that they be not of byleve,

but that they were ordeyned, sythe the byleve was zyne of Cryst, by suffraunce of the Chyrche, to be kalenderys to lewyd men, to represente and bryng to mynde the passyon of Oure Lord Jesus Cryst, and martirdoom and good lyvyng of other seyntis. And that hoso it be that doth the worschyp to deede ymagys that is dewe to God, or putteth feyth, hope, or trust in help of hem, as he scholde do to God, or hath affeccion in oon more than in another, he doth in that the grete synne of mawmetrie.

“Also, I suppose thys fully that every man in thys erthe is a pylgrym toward blis or toward peyne; and that he that knowyth not no wyle not knowe, ne kepe the holy commaundementys of God in his lyvyng here, al bet it that he goo on pylgremage to alle the world, and he lye so, he schal be damnyd. And he that knowyth the holy commaundementys of God, and keypth hem to hys ende, he schal be savyd, though he nevr in hys lyff go on pylgremage, as men use now, to Cantirbery or to Rome, or to any other place.”

This schedule, with these articles contained therein as aforesaid, being read through by the said Sir John, we, with our brethren aforesaid and many other doctors and learned men, conferred upon the same; and at last, by the counsel and consent of them, we spake thus unto the said Sir John Oldcastell:—“Behold, Sir John, in this schedule there are many good things contained, and Catholic enough; but you have at this time to answer on other points savouring of errors and heresies, to which, by the contents of this schedule, it is not fully answered; and therefore you must answer thereto, and more plainly express and declare your faith and opinions given in the said schedule concerning the same,—viz., whether you hold, believe, and affirm that in the sacrament of the altar, after consecration rightly done, there remains material bread or not? Also whether you hold, believe, and affirm that, in the sacrament of penance, it is necessary that anyone, having access to the priest, he should confess his sins to a priest ordained by the Church?”

To what was thus said, amongst many and various things declared by the said Sir John Oldcastell, he answered expressly that he would make no other declaration on the aforesaid points, or any other kind of answer than that which was contained in the same schedule. Whereupon we, feeling for the said Sir

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John in a benign and gentle manner, then said to him, being there present: "Have a care, Sir John! for if you do not make answer plainly to these things objected against you within a lawful time, now granted you at the command of the judge, we may pronounce and declare you to be a heretic."

But the said Sir John conducted himself as before, and would return no other answer. Consequently, nevertheless, we with our said brethren and others of our council took advice, and by their counsel declared to the said Sir John Oldcastell that the Holy Church of Rome, in this matter following the words of the blessed Augustine, Jerome, and Ambrose, with other holy men delivered, which determinations it behoves all Catholic men to observe. To which the said Sir John replied that he wished well to believe and observe whatever Holy Church determined, and whatsoever God would that he should believe and observe; but that he would in no case affirm that our lord the pope, the cardinals, archbishops, and bishops, and other prelates of the Church, have power of determining such matters.

Whereupon we, yet feeling for him under hope of better deliberation, promised the said Sir John that we would give him certain determinations upon the matter aforesaid in writing, in Latin, translated into English for his better understanding, to which the said Sir John should more plainly answer; whereupon we commanded him and cordially desired him that, on the Monday next following, he should give his answer fully and clearly, which determinations we caused to be translated the same day, and to be delivered to him the Sunday next following. The tenor of which determinations follows in this wise:—

"The feyth and the determinacion of Holy Chirche towchyng the blysfyl sacrament of the auter is this: That after the sacramental wordys ben seyde be a prest in hys masse, the materyal bred that was before is turnyd into Crystys veray body; and the materyal wyn that was byfore is turnyd into Crystys veray blood, and so there levyth in the auter no materyal bred, no materyal wyn, the whyche were there before the seyinge of the sacramental wordys. How leeve ye thys article?"

“Holy Chirche hath determined that every Crysten man levying here bodelych in erthe oughte to be schryve to a prest ordryd be the Chirche, iff he may come to hym. How fele ye thys artycle?”

“Cryst ordeyned Seynt Petir the Apostil to be hys vycaire here in erthe, whos see is the Chirche of Rome; ordeynyng and grauntynge the same power that he gaf to Petir scholde succede to alle Petery’s successorys, the whiche we callyn now popys of Rome. By whos power, in chirches particuler, special ben ordeyned prelatys as archebischopys, byschopys, curatys, and other degrees; to whom Crysten men oughte to obeye, after the lawes of the Chirche of Rome. This is the determinacion of Holy Chirche. How fele ye thys article?”

“Holy Chirche hath determyned that it is nedeful to a Crystyn man to go a pylgrimage to holy placys, and there speccially to worschype holy relyques of seyntes, apostlys, martires, confessourys, and alle seyntes approvyd be the Chirche of Rome. How fele ye thys artycle?”

On which Monday, viz. the 25th day of the said month of September, before us and our said brethren aforesaid, having joined with us our venerable brother Benedict, by the grace of God Bishop of Bangor, and by our mandate and order, our counsellors and ministers, viz. Master Henry Ware, official of our court of Canterbury, Philip Morgan, doctor of both laws, Howel Kyffyn, doctor of the decretals, John Kempe and William Carleton, doctors of laws, and John Wytنام, Thomas Palmer, Robert Wombewelle, John Whytheed, Robert Chamberleyn, Richard Dodyngtone, and Thomas Walden, professors of divinity, also James Cole and John Stevenys, our notaries appointed for this purpose, they all and singular being sworn on the holy gospels of God, touching the book, that they should give their faithful counsel and help in the matter aforesaid, and in every such cause, without hatred, fear, love, or favour, as they may answer before God and the whole world.

Consequently the said Sir Robert de Morley, knight, keeper of the Tower of London, appeared and brought with him the aforesaid Sir John Oldcastell, and placed him before us. To whom we affably and gently related the acts of the day before past, and, as before, we told him how he, the said Sir John, had been and

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is excommunicate, desiring and requesting him that he should seek and admit in due form the absolution of the Church.

To whom the said Sir John plainly answered, then and there, that he would seek no absolution on this point from us, but from God alone.

Afterwards, in a gentle and moderate manner, we besought and requested the same Sir John that he would give a plain reply to the contents of the said schedule, containing the determination of the Church, on the same and upon the articles laid against him: and first with respect to the sacrament of the Eucharist.

To which article, amongst other things, he answered and said thus: That as Christ dwelling here on earth had in Him Godhead and manhood, yet the Godhead was veiled and invisible under the manhood, which was open and visible in Him, so in the sacrament of the altar there is the very body and very bread—bread, namely, which we do see, and the body of Christ veiled under the same, which we do not see. And he plainly denied that the faith touching this sacrament in the schedule aforesaid transmitted to him by us, as determined by the holy Roman Church and the holy doctors, would be or was the determination of the Church; but if it be the determination of the Church, he said that it was made contrary to Holy Scripture, and after the Church had been endowed, and poison poured into the Church and not before.

With reference also to the sacrament of penance and confession, he said and asserted expressly, then and there, that if any man were in any grievous sin, from which he knew not how to rise, it would be expedient and good for him to go to some holy and discreet priest to take counsel of him; but that he should confess his sin to his own curate or to another priest, even if he have the means of so doing, is not necessary to salvation, for by contrition only can such sin be wiped away, and the sinner himself purged.

As to the adoration of the holy cross he said and asserted, then and there, that only the body of Christ which did hang upon the cross ought to be worshipped, since that body alone was and is the cross which is to be worshipped: and being asked what honour he would do to the image of the cross, he answered,

in express words, that he would only do it that honour that he would make it clean and place it in good keeping.

With respect to the power of the keys, our lord the pope, of archbishops, bishops, and other prelates, he said that the pope is very antichrist, that is the head of the same, the archbishops, bishops, and other prelates the members, and the friars the tail of the same; which pope, archbishops, and prelates a man ought not to obey, unless so far as they may be imitators of Christ and Peter in their life, manners, and conversation, and that he is the successor of Peter who is better in life and purer in manners, and none other.

Further the said Sir John, with a loud voice and with outspread hands, addressing the bystanders, exclaimed: "These men who judge and wish to condemn me will seduce you all, and will lead you and themselves to hell—therefore beware of them."

When he had spoken these words, we again, as oftentimes, with sorrowful countenance spoke to the said Sir John, exhorting him with what words we might that he would return to the unity of the Church, to believe and hold what the Roman Church believes and holds, who expressly answered that he would not believe or hold otherwise than he had before declared.

Seeing then that, as it appeared in him, we could prevail nothing, at length, with bitterness of heart, we proceeded to pronounce definitive sentence in this manner:—

In the name of God, Amen! We Thomas, by divine permission archbishop of the holy church of Canterbury and an humble minister, primate of all England, and legate of the apostolic see:

In a certain cause or matter of heretical pravity concerning and upon divers articles, whereon Sir John Oldcastell, knight, lord of Cobham, before us in the last convocation of our clergy of the province of Canterbury, celebrated in the church of St. Paul at London, after diligent inquisition there made, was detected and accused, and through our province of Canterbury notoriously and publicly reported. At the denunciation and requisition of the whole clergy aforesaid, thereon made to us in the said convocation, with what favour we could, God is our witness, lawfully proceeding against him and following the footsteps of Christ, who willeth not the death of a sinner but rather

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that he may be converted and live, we strove to correct him, and by such means as were in our power, and we were acquainted with, to bring him back to the unity of the Church, declaring to him what the holy Roman and Universal Church in this respect teaches, holds, determines, and declares.

And although we at length found him in the Catholic faith so stiffnecked that he would not confess his error, or clear himself thereof or detest the same, yet, being favourably disposed towards him with fatherly affection, and cordially desiring his safety, we set him a certain proper time to deliberate, and if he were willing to repent and reform himself: and at length, inasmuch as we found him incorrigible, observing chiefly those things which by law are required in this respect, with sorrow and bitterness of heart we proceeded to the pronouncing of a definite sentence in this manner—

Christ's name being invoked, and having Him only before our eyes: Forasmuch as by acts enacted, signs produced and exhibited, evidences, tokens, and proofs of different kinds, we have found the said Sir John Oldcastell, knight, to have been and to be a heretic, and a follower of heretics erring in the faith and observance of the holy Roman and Universal Church, and especially with regard to the sacraments of the eucharist and of penance, and that as a son of wickedness and of darkness he has so hardened his heart that he understands not the voice of his shepherd, nor will he be allured by monitions or brought back by entreaties.

Having first investigated, sought out, and diligently weighed the merits of the cause aforesaid, and the demerits and faults of the said Sir John, aggravated by his damnable obstinacy; not willing that he that is wicked should become more wicked and infect others with his contagion, by the counsel and consent of men of great discretion and wisdom, our venerable brethren Richard Bishop of London, Henry Bishop of Winchester, and Benedict Bishop of Bangor, and of many other doctors in sacred theology, the decretals, and civil law, and of other religious and learned persons our assistants, we judge, declare, and condemn in the form of sentence and definitively in these writings the said Sir John Oldcastell, knight, lord of Cobham, convicted concerning and upon this detestable accusation, and unwilling to return

penitentially to the unity of the Church, as a heretic, and erring in those things which the holy Roman and Universal Church holds, teaches, has determined and preaches, and especially in the articles beforementioned, leaving him from henceforth as a heretic to the secular judgment.

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Moreover we excommunicate, and by these writings denounce as excommunicated as a heretic, him and others, all and singular, who henceforth, in favour of his error, shall receive, defend, or give him counsel, aid, or favour in this matter, as favourers, receivers, and defenders of heretics.

And that these premises may become known to all believers in Christ, we charge and command you that by our said sentence definitive in your church and through your district and diocese, by your several curates under you in their churches, when a very large number of people may be present, you cause them, with a loud and audible voice, and in the mother-tongue, to declare, publish, and expound, as is above more effectually contained in this process, that the said Sir John Oldcastell, as aforesaid, has been and is by us condemned as a heretic, schismatic, and one erring in the articles above written, and others all and singular who from henceforth in favour of his error shall receive or defend the said Sir John, or shall afford him counsel, help, or favour in this matter, as favourers, receivers, and defenders of heretics, that so the erroneous opinions of the people, who perchance have in this matter conceived otherwise than the truth of the thing warrants, may by this public declaration be rescinded.

Which also we wish and command to be written and made known, word for word, by you, to our several brethren the suffragans of our province of Canterbury; that they all and singular, through their cities and dioceses, may declare, publish, and expound the manner and form of this our process, and the said sentence by us given; and all and singular the other things contained in the same, and similarly cause them to be published by their ministers and curates.

As concerning the day of the receipt of these presents, and what you have done in the premises, and how you and they have executed this our mandate, we desire that you and they duly and distinctly certify us on the said business being done, by your and their letters-patent, having this tenor.

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Given at our manor of Maydeston the 10th day of October, A.D. 1413, and in the year of our translation the 18th.*

The account given above might have been rendered more interesting if, instead of being presented to the reader in a literal translation, it had been interspersed with notes and illustrations: but it might have been supposed, under such circumstances, that justice was not done to one or other of the parties. It is clear that Arundel desired to treat the accused with all the civility and consideration which the circumstances of the case would permit; and we may come to the conclusion that if Sir John Oldecastle was a saint, Archbishop Arundel did not exhibit himself in this case, as “a beast,” or “a wolf,” or anything less than a fallible man.

Of the morality of the Arundel family we cannot make a very favourable report. Although we believe that the archbishop himself was born in wedlock,† yet there is no doubt that his father, the fifth earl, had intrigued with his second wife, during the lifetime of his first wife. And Henry Beaufort, the future cardinal, first cousin of the archbishop, availed himself of the intimacy to which he was admitted in the family to win the affections of his sister. The Lady Alice Fitzalan, daughter of the Earl of Arundel, and sister of the primate, was acknowledged as the mother of Henry Beaufort's daughter,—a daughter who was carefully educated, and who was afterwards married to Sir Edward Stradling, knight of Glamorgan-shire. The Lady Alice may have been married to Henry

* Wilkins, iii. 253, *et seq.* Fascic. Zizan. 433.

† Drake—Eboracum, 436—says, that by some circumstances in his arms, the archbishop was suspected to be illegitimate. His legitimacy seems to be established by Dugdale and Tierney, i. 234. If he had been illegitimate, there must have been a dispensation for his consecration. If such a dispensation exists it will not escape the learned research of Messrs. Dixon and Raine in the *Fasti Eboracenses*.

Beaufort before he received holy orders; but if she continued to live with him after his ordination, though in the eye of the law she would continue to be his wife, she would be treated by the Church as his concubine. The children would be legitimate, for the Church never succeeded in bastardising the children of the clergy; and while stigmatising the wives of the clergy by calling them concubines, never denied the validity of the civil contract. The law of marriage as it exists in Scotland is the old law, and is still the law in foreign countries under the Roman obedience. The constrained celibacy of the clergy occasioned these anomalies, and introduced a lax tone of morals throughout society.*

Of the last days of Arundel's life little is known, nor are we acquainted with the circumstances of his death. We only know that it was occasioned by an inflammation of the throat—probably a quinsy. He was away from home at the time, and the seizure was sudden. He was carried to the rectory of Hackington, and on the 19th of February, 1414, between the hours of three and four o'clock, he departed this life. The Lollards, with a piety which regards whatever occurs according to their wishes as peculiarly providential, and which is oblivious of the charity which thinketh no evil; represented the blistering of the poor man's tongue as a punishment from Heaven for his having pronounced the sentence of the law upon the godly. He had in his lifetime caused a tomb to be erected in the nave of his cathedral for the reception of his corpse; and there he was interred. The tomb, with the chapel connected with it, has been robbed and destroyed; and of Arundel, therefore, no monument now remains.†

* The whole subject, as viewed by the Roman authorities, is discussed and described in an interesting pamphlet (of which I forget the title), published for the purpose of proving the validity of the marriage of Mrs. Fitzherbert with George IV.

† Somner, 134. When the monument was about to be erected to

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Of Arundel's munificence mention has been already made. In the second year of his primacy he contributed largely to the completion of the nave of the cathedral which Sudbury had commenced. The following is an extract from his will :—

“ One green vestment with twenty-one copes of one kind, and another cope of cloth of gold, one golden mitre ornamented with divers gems and precious stones, one large pastoral staff of silver, gilded all over, one golden chalice for the high altar, with two vessels for water of gold of the value of two hundred marks, and another chalice of gold for the Feast of St. Thomas worth forty pounds, with various other jewels, three lamps of silver hanging before the high altar, and five bells of sweetest sound commonly called ‘The Arundel Ryng.’ He gave also two missals, and many valuable books, with other church ornaments.* He bestowed also on the fabric of the nave of the church a thousand marks. He procured too the annexation and union of the parish church of Godmersham to this church, from the fruits and revenues of which he ordered to be distributed to each monk of this church six shillings and eightpence every year, on the day of the return of the precious martyr Thomas, in memory of him. He also bequeathed to this church one valuable book, in which are contained all the books of the blessed Gregory, forbidding, under pain of the greater excommunication, which he in reality fulminated, that anyone should in any way alienate this book from the church of Canterbury.” †

Arundel at Canterbury by his executors, they sent to York for a copy of his effigy there, which was made and forwarded to them. The carriage of the wooden effigy cost 3s. 4d. “ Soluti Marcell carior, pro j ymagine de ligno facta pro exemplari mittendo London executoribus Archiepiscopi Cantuariensis, 3s. 4d.”—York Fabric Rolls, 39.

* Ang. Sac. i. 62.

† From the inventory of the jewels, &c. belonging to York Cathedral *temp.* Edward VI., it would appear that the archbishop had not been unmindful of the northern province over which he had presided. The following entry occurs : “ Two copes of clothe of goulde—one having the assumption, the other the purification of Our Lady ; two copes of

I add an inventory of his goods :—

INVENTORIUM DOMINI THOMÆ ARUNDELL.

		<i>ll.</i>	<i>s.</i>	<i>d.</i>	
Imprim.	pro ij. mitris	cxxxiiij.	vj.	viiij.	
Aulæ . . .	viiij. Aulæ cum toto Apparatu	lxvj.	xiiij.	iv.	
Camerae . .	xxiv. lecti cum toto Apparatu	clxxix.	x.		
Garderobæ . .	Duæ petiæ de Arace Robæ Domini cum linteamentis, &c. . . .	xxx.			
Capella . .	Diversa vestimenta cum pannis Auri Aulter cloths et alio suo Apparatu	lxxviiiij.			
	Omnia jocalia auri, argenti, cum crucibus, imaginibus, tabulectis thuribulis phiolis aliisque ornamentis . . .	cccclv.			
	Omnes libri pertinentes ad capellam	ccvij.	xix.	ij.	
Oratorum cum studio	} Ornamenta Oratorii cum omnibus libris de studio	ccclij.	viiij.	vj.	
Celarium . .		Omnes cyphi de argento et de auro cum suis cooperculis simul aquariis deauratis . . .	cciiij.		
	Omnes cyphi de puro auro simul cum uno aquar. et eisdem cooperculis pro.	cxxxiiij.	vj.	viiij.	
Panetria . .	Omnia salaria argenti et deaurat. cum naperia, cultellis, &c. . .	lxx.	xiiij.	iv.	

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sanguine purple clothe of goulde; two copes with daisies; two copes of red velvett with eagles; two red copes with images of needlework upon them; one cope of red clothe of goulde, ex dono Thomas Arundel."—York Fabric Rolls, 309.

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Eleemosyn. cum Aquar. et vasis pro Speciebus .	}	Omnes pelves cum lavacris et deaurat. simul cum navibus et discis elee- mosyn. nec non cum spice-plateis et discis argenti et deaura- tis pro speciebus et fructibus	cxcxviiij.
Sensellard .		Chargeurs, platei, disci cum salsariis argenti, et candionis et gir- dionis argenti	cccv. xij. vj.
Coquina .		Omnes Ollæ de Latin, cupro, et ænico, simul cum patellis, gridirons, verubus, racks, cu- bords, scummers, et hujusmodi	xix. xviiij. iij.
Stabulum .		Omnes palfridi, cursores, somerar. cum equis charectis et suis har- nes et pertinentiis	lxxxij.
		Item, Blada in manibus Firmarii	MDXLvij. xvj. viij. ob. qu. dimid. qu.
		Blada in manibus Domini per æstimationem	DLxvj. xiiij. iv.
		Staurum vivum in mani- bus Domini per æstima- tionem	cccxvj. viij.
		Staurum mortuum in manibus Domini	lxix. xiiij. i.
		Ratum reddituum et firmarii, &c.	ccccxxxiiij. vj. viij.
		Summa totalis	MMMMMvij. xij. vii. ob. qu. dimid. qu.

APPENDIX TO CHAPTER XVII.

NEITHER Parker nor Godwin nor Somner include the name of Roger Walden in their list of the Archbishops of Canterbury. Nevertheless he was for two years *de facto*, if not *de jure*, primate, and therefore his name appears in the "Registrum Sacrum" of Mr. Stubbs.

Under these circumstances, I have thought it right to append to this chapter the few notices I have been able to collect of Walden, whose character, whether he was a usurper or not, stands out in favourable contrast to that of Arundel.

According to Fuller,* Roger Walden was a native of the market town of Walden in Essex, which, being celebrated for the cultivation of saffron, was afterwards known by the name of Saffron Walden. His parentage was humble,† and it does not appear that he repaired for his education to either of the universities.

His talents were considerable, and his industry was so great, that he commended himself to the notice of Henry Lord Percy, through whose patronage, in 1374, he was instituted to the church of Kirkby Overblow, in Yorkshire. Here he remained for several years, and then his preferments were rapid. He was parson of the church of Drayton in 1382.‡ In 1387 he was made Archdeacon of Winchester, and in 1389 he was Prebendary of Thame. In 1391 he returned to his native county, having been appointed to the Rectory of Fordham, in the presentation of the crown.‡

* Fuller's Worthies, i. 505.

† This is said on the authority of Walsingham: "Ex pauperulo factus regni thesaurarius." Walsingham, ii. 272.

‡ *Fœdera*, vii. 349.

§ Newcourt.

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I find him in 1393 in occupation of the stall of Caistor in the cathedral of Lincoln—the mention of which fact may render it pardonable if I pause to pay a passing tribute of respect and gratitude to the learned Bishop Kaye, by whom that prebend was conferred upon the writer of these lines. Over the stall of each prebendary are engraven the first words of certain psalms, upon which the prebendary is expected daily to meditate, when not otherwise let or hindered. Over the stall of Caistor are the words, “*Mirabilia usque ad Lætatus sum;*” and in meditating from the 29th verse of the 119th Psalm to the end of the 121st, he found rest to his soul amidst the many cares of a troublous life. Of his life it has been said: “*Vix quenquam reperias qui variantes fortunæ vicissitudines magis est expertus.*” * Often must the words he habituated himself to use have come to his heart, as they have done to some among his successors. Happy they who have to perform as a duty what is the comfort and delight of their hearts!

Walden was at this time a considerable pluralist. In 1394, he was appointed to the prebend of Pipa Minor in Lichfield, and in 1395 he became Dean of York. He held, in common with the deanery, a living in Lincolnshire, and some preferment in the Isle of Jersey.

Preferments were heaped upon Walden, as we have seen to be the case in so many instances, to provide him with an income while he was engaged in the service of the State. In May 1388, he was one of the commissioners appointed to negotiate a truce with the Court of Flanders and certain Flemish towns. He was at this time treasurer of Calais.† His name occurs in the same year as a “*Capitanus in partibus Picardiæ.*” ‡ On the 5th of November 1389 he was again appointed a commissioner to treat with the court and people of Flanders; his style then

* Godwin—who, however, borrows the reflection from Walsingham: “*Qui varia fortuna vectus, expertus est sub brevi tempore quam sit*

—*Inconstans, incerta, volubilis ipsa,*

Errans, instabilis, vaga, quæ, dum stare putatur,

Occidit, et falso mentitur gaudia vultu.”

—Walsingham, ii. 272.

† *Fœdera*, iii. pt. iv. 23. He is styled “*Roger Walden, tresorer de Caleys.*”

‡ *Ibid.* 33.

being "Roger Waldene, Archediac. de Wyncestre, tresorer de Caleys." *

That Roger Walden, thus eminent as a diplomatist, was also a man of literature appears from a history of his which is to be found in the Cotton Library—"Rogeri Walden episc. Lond. Historia ab orbe condito, tabellis chronologicis digesta cum serie Romanorum Pontificum ad Honorium et inde imperatorum Romanorum a Julio Cæsare ad Johannem Porphyrogenitum." Julius, B. xiii. †

In 1395 Walden was appointed Lord High Treasurer of England. ‡

When Arundel was driven into exile, under the circumstances described in his life, and when the king determined to treat the primacy as vacant, he desired to place on the archiepiscopal throne one on whom he could entirely rely. Walden, though not known as a divine, was a statesman who had acted consistently with the king's party; and Richard was determined to have him as his primate. We can hardly acquit the king of a guilty participation in the attempt made upon the life of Arundel: he certainly applied to Pope Boniface to violate the statutes of the realm, and to appoint Walden by provision to the see of Canterbury; § which thing the pope could only do by declaring Arundel translated to St. Andrews, a translation which Arundel repudiated. The Bull of Provision, however, came at the desire of the king; although the pope afterwards affirmed it was given by a mistake, and under false representations. The Lord High Treasurer was consecrated to the primacy on the 3rd of February

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* *Fœdera*, iii. 49.

† I have seen the book. It is a large MS. in quarto.

‡ 1 Pat. 19, R. ii. m. 18. He must have had some difficulty in meeting the expenses which had been incurred at the king's marriage in 1396. The king's expenditure on this occasion was, according to Walsingham, great. "Fuit autem iste Regum apparatus grandis et sumptuosus in donariis et expensis; nam præter dona quæ Rex Angliæ dedit Regi Franciæ, aliisque proceribus illius regni, quæ superaverunt summam decem milium marcarum, Rex expendit, ut dicitur, trecenta milia marcarum et amplius, ea vice."

§ "Misit Rex clam ad Curiam Romanam, pro translatione ejusdem; effectique ut Rogerus de Waldene, regni pro tunc Thesaurarius, pro eo Archiepiscopus ordinaretur. Qui, quia cubile patris sui viventis ascendere præsumpsit, post biennium dejectus est auctoritate Papæ præfati."—Walsingham, ii. 226.

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1398—Robert Braybrook, Bishop of London, being probably the consecrator. He received the pall on the 17th of February.

Of Walden's acts, during his brief occupation or usurpation of the see of Canterbury, little can be said; for Arundel, on his restoration, caused his register to be destroyed, not admitting the reality or legality of any of his proceedings.

Whether by Walden's advice or not, the king was guilty at this time, of one of those many unconstitutional acts which, in the end, cost him his crown. The pope had acted in defiance of the law, and with injustice to his friend Arundel, to oblige the king; but a *quid pro quo* was required, and the king, by a despotic exercise of his dispensing power, granted a suspension or, as he called it, a modification of the statute against provisors. The document prepared for this purpose, and dated 1398, professes to be an interpretation of the Act. It was declared that in the event of a vacancy in a bishopric, the pope might nominate anyone in whose behalf the king might make application; and that in all cathedral and collegiate churches, the pope might provide his cardinals or any others, being Englishmen, with three benefices alternately with the diocesan, so that it was not a chief dignity requiring residence.*

Although Walden's reign was a short one, yet it was a merry one. His enthronisation was conducted on a scale of great magnificence,—the king attending. He also—before the king sailed for Ireland, and when he desired to pay his devotion at the shrine of St. Thomas—entertained the court with profuse hospitality. He on this occasion maintained the royal body-guard, and escorted the king to London.†

The king soon found that his concessions to Rome had given offence to the clergy as well as to the laity, and that the measure to which he had consented weakened his hands instead of affording him strength. Some bishops refused translation, when the pope offered to remove them from one see to another. The king, with that subtlety which he frequently displayed, thought to place the recalcitrant clergy in a dilemma: he put to them the question, through Walden, whether the pope had a right to translate bishops at his pleasure. With the practical

* Wilkins, iii. 207.

† Contin. Eulog., 378, 380.

spirit of Englishmen, the clergy declined an answer to the abstract question ; but they addressed the king requesting him to urge it upon the pope to make no translations for the future. Boniface sent a nuncio to England—Peter de Bosco—who was honourably entertained, but was given to understand that the king could not resist the public opinion, which was strong against provisions, or (as the word had now come to be understood) against papal appointments in any shape.*

During Walden's occupancy of the archiepiscopal throne, a proposal came from the Church of France, by which it was suggested that the Church of England should co-operate with the Gallican prelates in an attempt to bring to a termination the schism in the papacy. There were two popes in existence—Boniface IX., who was acknowledged by England, and Benedict XIII., who was recognised as pope by France. The attempt was at this time unsuccessful, and the whole subject will come before us in the Life of Chicheley. We need therefore only mention here that the convocation at which the Festivals of St. David, St. Chad, St. Winifred, and the weekly commemoration of St. Thomas of Canterbury were appointed, was held under the presidency of Walden, though the institutions were afterwards confirmed by Arundel. The convocation, probably, only cared on this occasion to carry out the measures previously proposed by Arundel.

On the return of Arundel, Walden naturally felt alarmed. His first step was, as became a treasurer, to secure all the property of the see. The plate, the furniture, the jewels, and all the valuables that were moveable, either at Canterbury or at Rochester, he took with him, and deposited them, as he thought, in safety in the camp. We should have heard, perhaps, if anything had been lost when the camp was robbed after the mutiny in Wales. But notwithstanding his alarm and his precautions, the conduct of the two prelates was such as to reflect credit upon both of them. Arundel, as we have seen, was placable—Walden was conciliatory.

Severe measures were adopted against the political friends of Walden ; and Walden's own life was threatened. But he was

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* Walsingham, 356.

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spared by the earnest intercession of Arundel; and, having made restitution of the property of the see of Canterbury, he retired into private life.* All we know of him during the next five years is that, during a portion of that period he was reduced to great distress.

"Now," says Fuller, "Roger Walden was reduced to Roger Walden, as poor as at his first beginning: for although all maintained that the character of a bishop was indelible, this Roger found that a bishopric was dealable, having nothing whereon to subsist until Archbishop Arundel, nobly reflecting his worth or want, or both, procured him to be made Bishop of London. But he enjoyed that place only so long as to be a testimony to all posterity of Arundel's civility unto him, dying before the year was expired. He may be compared to one so jawfallen, with over-long fasting, that he cannot eat meat when brought unto him; and his spirits were so depressed with his former ill-fortunes, that he could not enjoy himself in his new unexpected happiness."†

Walden made his profession to Archbishop Arundel, as Bishop of London,‡ June 29, 1405, and was installed the next day: he received the temporalities July 28.

Various dates are assigned to his death. According to "Arundel's Register" it occurred January 6, 1406; according to Weever, on the 2nd of November of that year. He was buried in the Priory of St. Bartholomew, Smithfield; and upon his monument was this epitaph, inlaid in brass: §—

"Hic jacet Rogerus de Walden Episcopus Londinens.
Qui cum in utraque fortuna plurimum laboravit
Ex hac vita migravit 2 die Novem. an. dom. 1406.
Vir, cultor verus Domini, jacet intra Rogerus.
Walden: Fortuna cui nunquam steterat una.
Nunc requiem tumuli Deus omnipotens dedit illi,
Gaudet et in celis plaudet ubi quisque fidelis."

He had learned wisdom during his retirement. In defiance of the Statute of Provisors, he had accepted the primacy by

* "Rogerum Walden omnia quæ reciperat de episcopatu Cantuariensi Thomæ de Arundel restituere fecit; et ad preces ejusdem Thomæ vitam sibi concessit."—Contin. Eulog. 385.

† Fuller's Worthies, i. 505.

‡ He obtained the see by the pope's bull of provision, published December 10, 1404: in this he is styled "Episcopus ecclesiæ universalis."

§ Weever, 434.

papal provision. Weever says that, in regard to the Bishopric of London, he refused to accept it from anyone but the king; and he cites the following document:—

“Cum summus Pontifex nuper providisset Rogero Waldende Ecclesia Cathedral. London, præfatus tamen Rogerus dominicum beneficium sine Regis assensu et licentia acceptare noluit, nec vult ni presenti Rex concedit eidem Rogero licentiam quod ipse tanquam verus Pastor, et Episcopus dictæ Ecclesiæ Cathedralis eandem ecclesiam capere valeat et acceptare.”—T. R. apud W., 24 Junii.

CHAP.
XVII.

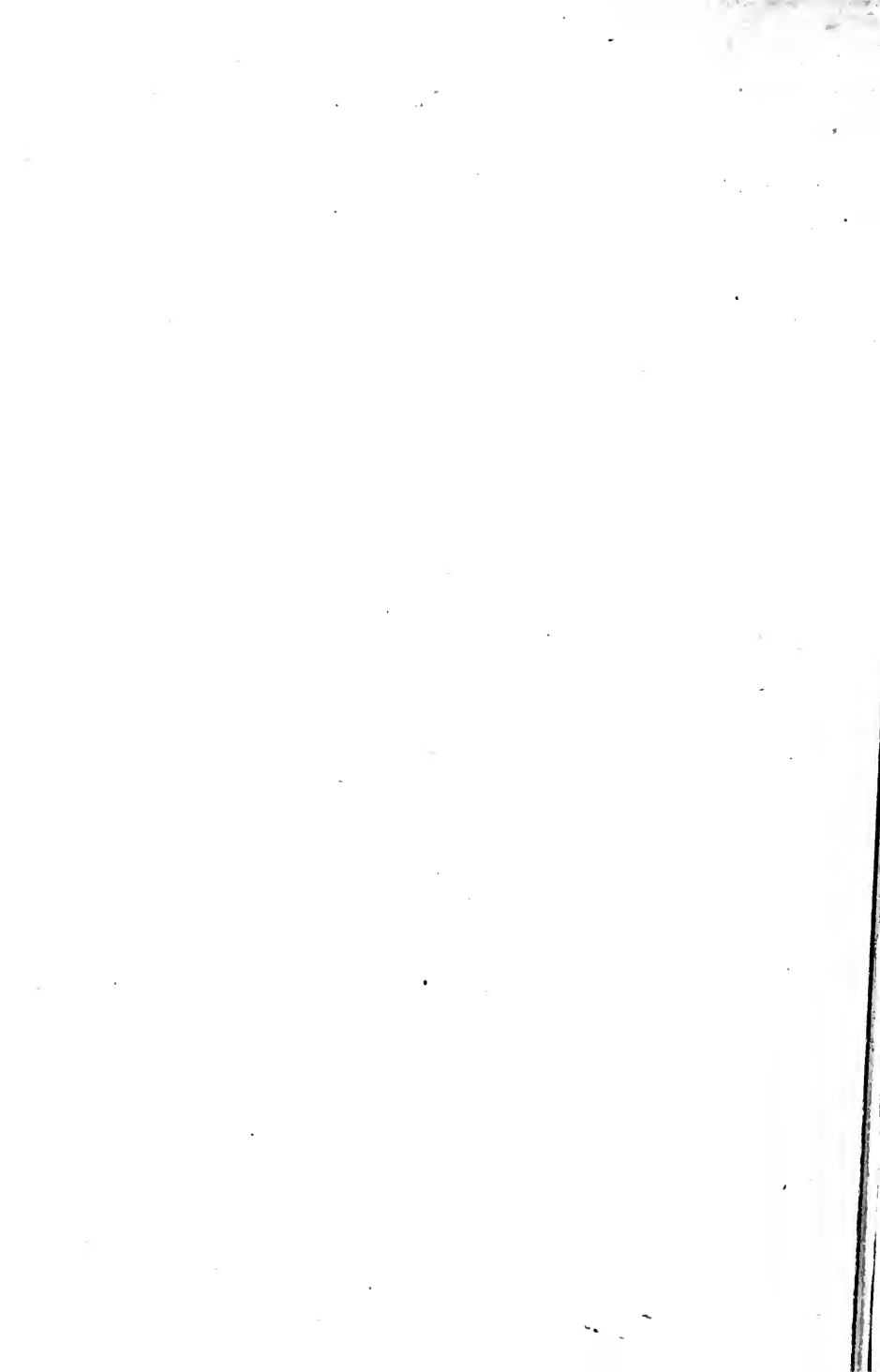
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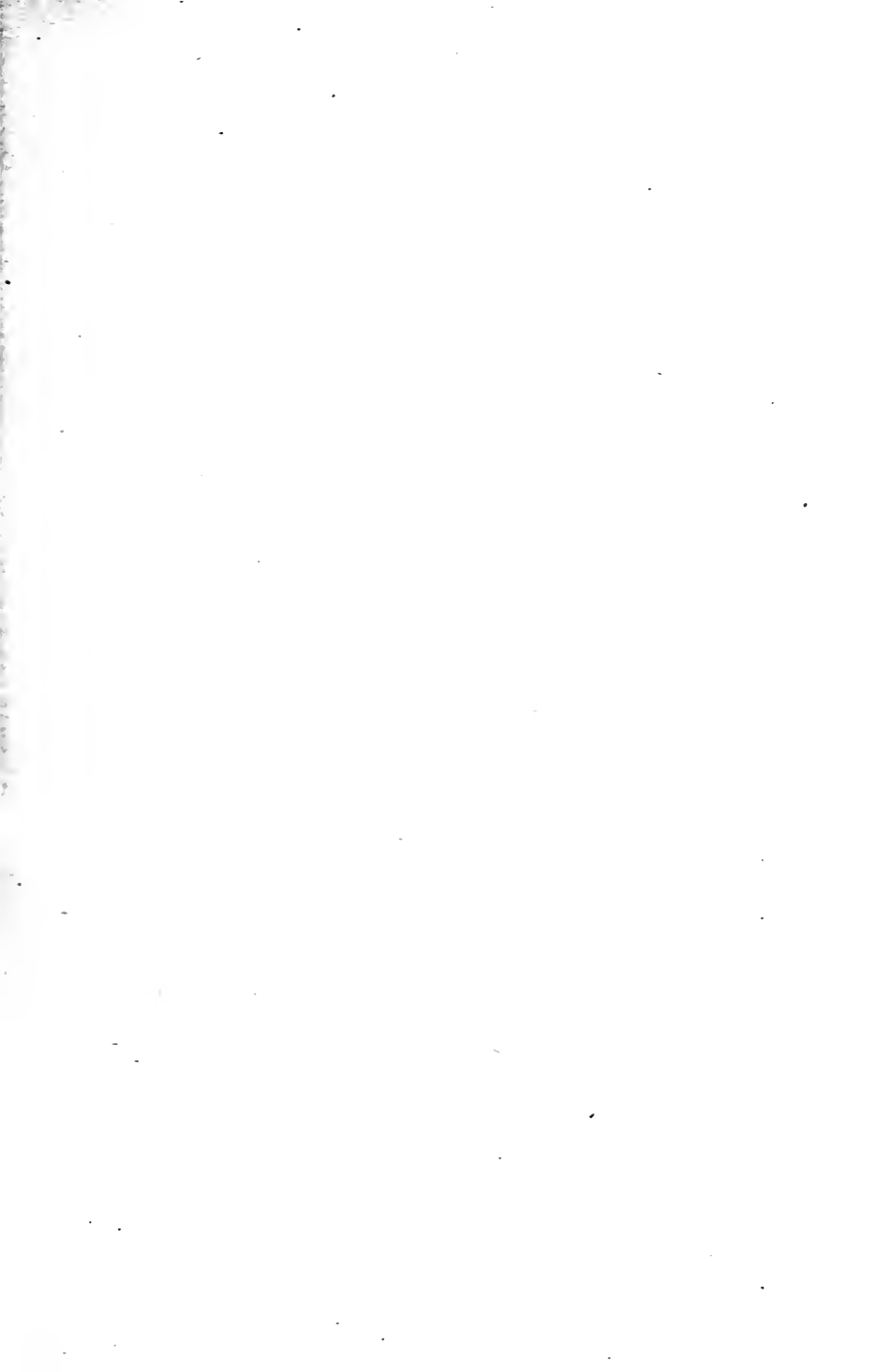
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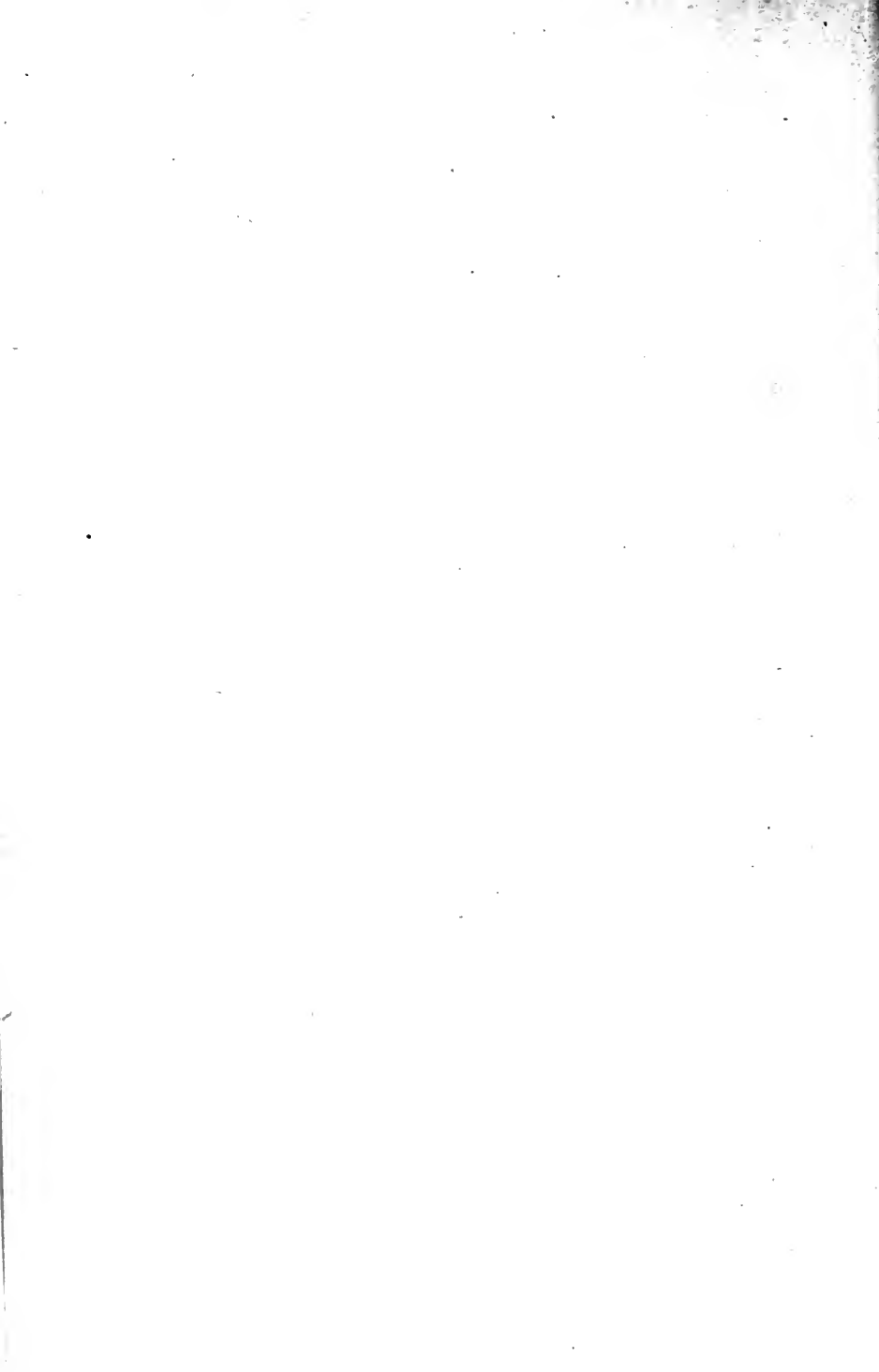
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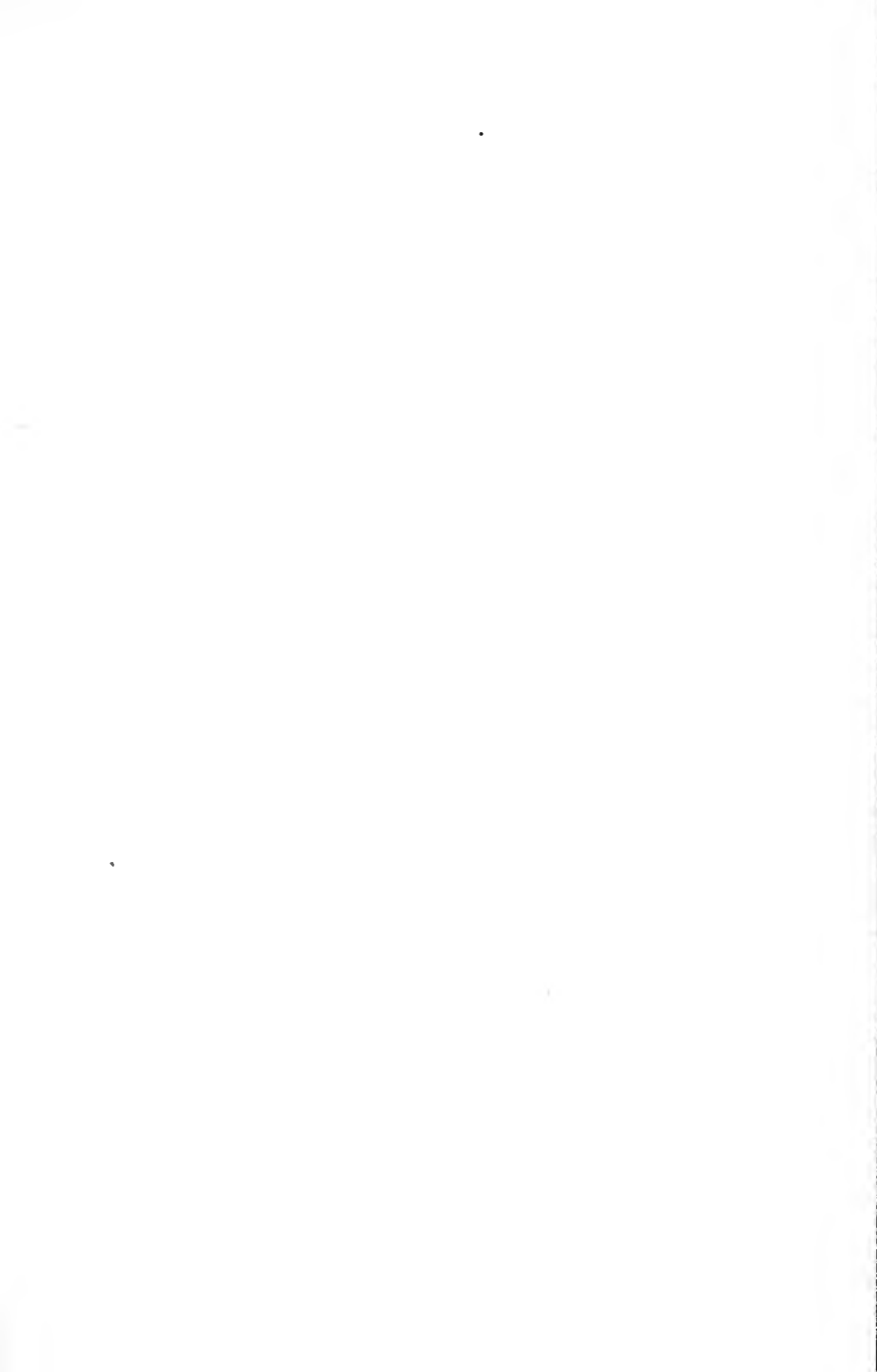
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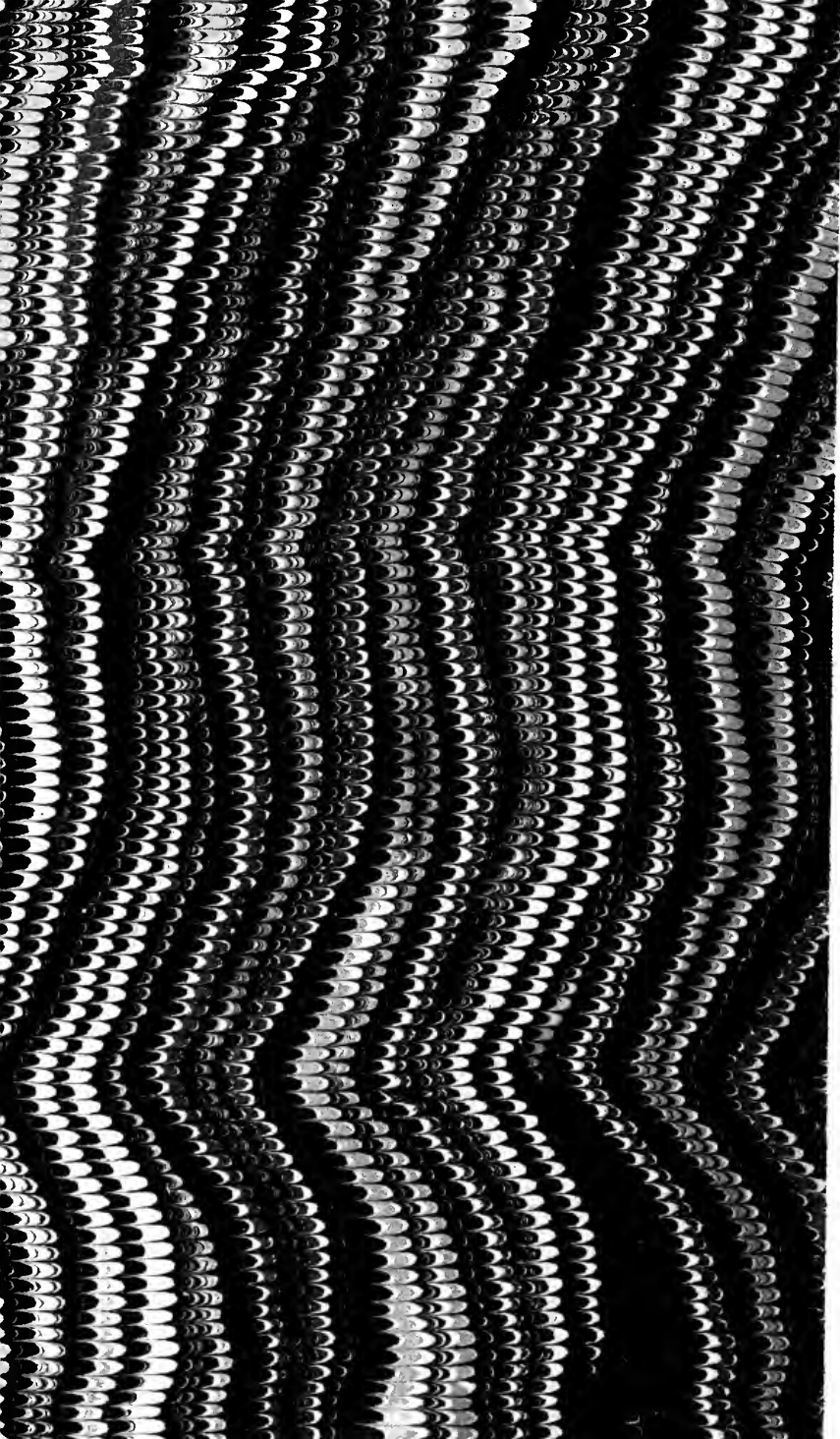
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