THE HISTORY OF ENGLAND

Volume One of Three

FROM THE INVASION OF JULIUS CÆSAR

TO THE END OF THE REIGN OF JAMES THE SECOND,

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Freeditorial

VOLUME ONE

Part D.

From Elizabeth to James I.

CHAPTER XXXVIII.

ELIZABETH.

CONTEMPORARY MONARCHS.

EMP. OP GERMANY.	K. OF SCOTLAND.	K. OF FRANCE.	K. OF SPAIN.
Ferdinand..1564	Mary abdicates.1567	Henry II....1559	Philip II.1598
Maximilian.1576	James VI.	Francis II..1560	Philip III.
Rodolph II.	Charles IX..1574	Henry III.. 1589	Henry IV.

POPES.		
Paul	IV....	1558
Pius	IV....	1565
Pius	V.....	1572
Gregory		XIII.1585
Sixtus	V...	1590
Urban	VII..	1590
Gregory	XIV.	1591
Innocent	IX.	1591
Clement		VII.

1558.

In a nation so divided as the English, it could scarcely be expected that the death of one sovereign, and the accession of another, who was generally believed to have embraced opposite principles to those which prevailed, could be the object of universal satisfaction: yet so much were men displeased with the present conduct of affairs, and such apprehensions were entertained of futurity, that the people, overlooking their theological disputes, expressed a general and unfeigned joy that the sceptre had passed into the hand of Elizabeth. That princess had discovered great prudence in her conduct during the reign of her sister; and as men were sensible of the imminent danger to which she was every moment exposed, compassion towards her situation, and concern for her safety, had rendered her, to an uncommon degree, the favorite of the nation. A parliament had been assembled a few days before Mary's death; and when Heathe, archbishop of York, then chancellor, notified to them that event, scarcely an interval of regret appeared; and the two houses immediately resounded with the joyful acclamations of "God save Queen Elizabeth: long and happily may she reign." The people, less actuated by faction, and less influenced by private views, expressed a joy still more general and hearty on her proclamation; and the auspicious commencement of this reign prognosticated that felicity and glory which, during its whole course, so uniformly attended it.[*]

Elizabeth was at Hatfield when she heard of her sister's death; and after a few days she went thence to London, through crowds of people, who strove with each other in giving her the strongest testimony of their affection. On her entrance into the Tower, she could not forbear reflecting on the great difference between her present fortune and that which a few years before had attended her, when she was conducted to that place as a prisoner, and lay there exposed to all the bigoted malignity of her enemies. She fell on her knees, and expressed her thanks to Heaven for the deliverance which the Almighty had granted her from her bloody

persecutors; a deliverance, she said, no less miraculous than that which Daniel had received from the den of lions. This act of pious gratitude seems to have been the last circumstance in which she remembered any past hardships and injuries. With a prudence and magnanimity truly laudable, she buried all offences in oblivion, and received with affability even those who had acted with the greatest malevolence against her. Sir Henry Benningfield himself, to whose custody she had been committed, and who had treated her with severity, never felt, during the whole course of her reign, any effects of her resentment.[**] Yet was not the gracious reception which she gave, prostitute and undistinguishing. When the bishops came in a body to make their obeisance to her, she expressed to all of them sentiments of regard; except to Bonner, from whom she turned aside, as from a man polluted with blood, who was a just object of horror to every heart susceptible of humanity.[***]

* Burnet, vol. ii. p. 373.

** Burnet, vol. ii. p. 374.

*** Burnet, vol. ii. p. 374. Heylin, p. 102.

After employing a few days in ordering her domestic affairs, Elizabeth notified to foreign courts her sister's death, and her own accession. She sent Lord Cobham to the Low Countries, where Philip then resided; and she took care to express to that monarch her gratitude for the protection which he had afforded her, and her desire of persevering in that friendship which had so happily commenced between them. Philip, who had long foreseen this event, and who still hoped, by means of Elizabeth, to obtain that dominion over England, of which he had failed in espousing Mary, immediately despatched orders to the duke of Feria, his ambassador at London, to make proposals of marriage to the queen; and he offered to procure from Rome a dispensation for that purpose. But Elizabeth soon came to the resolution of declining the proposal. She saw that the nation had entertained an extreme aversion to the Spanish alliance during her sister's reign; and that one great cause of the popularity which she herself enjoyed, was the prospect of being freed by her means from the danger of foreign subjection. She was sensible that her affinity with Philip was exactly similar to that of her father with Catharine of Arragon; and that her marrying that monarch was, in effect, declaring herself illegitimate, and incapable of succeeding to the throne. And though the power of the Spanish monarchy might still be sufficient, in opposition to all pretenders, to support her title, her masculine spirit disdained such precarious dominion, which, as it would depend solely on the power of another, must be exercised according to his inclinations.[*] But while these views prevented her from entertaining any thoughts of a marriage with Philip, she gave him an obliging, though evasive answer; and he still retained such hopes of success, that he sent a messenger to Rome, with orders to solicit the dispensation.

* Camden in Kennet, p. 370. Burnet, vol. ii. p. 375.

The queen too, on her sister's death, had written to Sir Edward Carne, the English ambassador at Rome, to notify her accession to the pope; but the precipitate nature of Paul broke through all the cautious measures concerted by this young princess. He told Carne, that England was a fief of the holy see; and it was great temerity in Elizabeth to have assumed, without his participation, the title and authority of queen: that being illegitimate, she could not possibly inherit that kingdom; nor could he annul the sentence, pronounced by Clement VII. and Paul III., with regard to Henry's marriage: that were he to proceed with rigor, he should punish this criminal invasion of his rights, by rejecting all her applications but being willing to treat her with

paternal indulgence, he would still keep the door of grace open to her, and that if she would renounce all pretensions to the crown, and submit entirely to his will, she should experience the utmost lenity compatible with the dignity of the apostolic see.[*] When this answer was reported to Elizabeth, she was astonished at the character of that aged pontiff; and having recalled her ambassador, she continued with more determined resolution to pursue those measures which already she had secretly embraced.

The queen, not to alarm the partisans of the Catholic religion, had retained eleven of her sister's counsellors; but in order to balance their authority, she added eight more, who were known to be inclined to the Protestant communion: the marquis of Northampton, the earl of Bedford, Sir Thomas Parry, Sir Edward Rogers, Sir Ambrose Cave, Sir Francis Knolles, Sir Nicholas Bacon, whom she created lord keeper, and Sir William Cecil, secretary of state.[**]

* Father Paul, lib. v.

** Strype's Ann. vol. i. p. 5.

With these counsellors, particularly Cecil, she frequently deliberated concerning the expediency of restoring the Protestant religion, and the means of executing that great enterprise. Cecil told her, that the greater part of the nation had, ever since her father's reign, inclined to the reformation, and though her sister had constrained them to profess the ancient faith, the cruelties exercised by her ministers had still more alienated their affections from it: that happily the interests of the sovereign here concurred with the inclinations of the people; nor was her title to the crown compatible with the authority of the Roman pontiff: that a sentence, so solemnly pronounced by two popes against her mother's marriage, could not possibly be recalled without inflicting a mortal wound on the credit of the see of Rome; and even if she were allowed to retain the crown, it would only be on an uncertain and dependent footing: that this circumstance alone counterbalanced all dangers whatsoever; and these dangers themselves, if narrowly examined, would be found very little formidable: that the curses and execrations of the Romish church, when not seconded by military force, were, in the present age, more an object of ridicule than of terror, and had now as little influence in this world as in the next: that though the bigotry or ambition of Henry or Philip might incline them to execute a sentence of excommunication against her, their interests were so incompatible, that they never could concur in any plan of operations; and the enmity of the one would always insure to her the friendship of the other: that if they encouraged the discontents of her Catholic subjects, their dominions also abounded with Protestants, and it would be easy to retaliate upon them: that even such of the English as seemed at present zealously attached to the Catholic faith, would, most of them, embrace the religion of their new sovereign; and the nation had of late been so much accustomed to these revolutions, that men had lost all idea of truth and falsehood in such subjects: that the authority of Henry VIII., so highly raised by many concurring circumstances, first inured the people to this submissive deference; and it was the less difficult for succeeding princes to continue the nation in a track to which it had so long been accustomed; and that it would be easy for her, by bestowing on Protestants all preferment in civil offices and the militia, the church and the universities, both to insure her own authority, and to render her religion entirely predominant.[*]

The education of Elizabeth, as well as her interest, led her to favor the reformation; and she remained not long in suspense with regard to the party which she should embrace. But though determined in her own mind, she resolved to proceed by gradual and secure steps, and not to imitate the example of Mary in encouraging the bigots of her party to make immediately a violent invasion on the established religion.[**] She thought it requisite, however, to discover such symptoms of her intentions as might give encouragement to the Protestants so much

depressed by the late violent persecutions. She immediately recalled all the exiles, and gave liberty to the prisoners who were confined on account of religion. We are told of a pleasantry of one Rainsford on this occasion, who said to the queen, that he had a petition to present her in behalf of other prisoners called Matthew, Mark, Luke, and John: she readily replied, that it behoved her first to consult the prisoners themselves, and to learn of them whether they desired that liberty which he demanded for them.[***]

* Burnet, vol. ii. p. 377. Camden, p. 370.

** Burnet, vol. ii. p. 378. Camden, p. 371.

*** Heylin, p. 103.

Elizabeth also proceeded to exert in favor of the reformers some acts of power which were authorized by the extent of royal prerogative during that age. Finding that the Protestant teachers, irritated by persecution, broke out in a furious attack on the ancient superstition, and that the Romanists replied with no less zeal and acrimony, she published a proclamation, by which she inhibited all preaching without a special license;[*] and though she dispensed with these orders in favor of some preachers of her own sect, she took care that they should be the most calm and moderate of the party. She also suspended the laws so far as to order a great part of the service; the litany, the Lord's prayer, the creed, and the gospels; to be read in English. And having first published injunctions, that all the churches should conform themselves to the practice of her own chapel, she forbade the host to be any more elevated in her presence; an innovation which, however frivolous it may appear, implied the most material consequences.[**]

These declarations of her intention, concurring with preceding suspicions, made the bishops foresee with certainty a revolution in religion. They therefore refused to officiate at her coronation; and it was with some difficulty that the bishop of Carlisle was at last prevailed on to perform the ceremony. When she was conducted through London, amidst the joyful acclamations of her subjects, a boy, who personated truth, was let down from one of the triumphal arches, and presented to her a copy of the Bible. She received the book with the most gracious deportment; placed it next her bosom; and declared that, amidst all the costly testimonies which the city had that day given her of their attachment, this present was by far the most precious and most acceptable.[*] Such were the innocent artifices by which Elizabeth insinuated herself into the affections of her subjects. Open in her address, gracious and affable in all public appearances, she rejoiced in the concourse of her subjects, entered into all their pleasures and amusements; and without departing from her dignity, which she knew well how to preserve, she acquired a popularity beyond what any of her predecessors or successors ever could attain. Her own sex exulted to see a woman hold the reins of empire with such prudence and fortitude: and while a young princess of twenty-five years, (for that was her age at her accession,) who possessed all the graces and insinuation, though not all the beauty of her sex, courted the affections of individuals by her civilities, of the public by her services; her authority though corroborated by the strictest bands of law and religion, appeared to be derived entirely from the choice and inclination of the people.

* Heylin, p. 104. Strype, vol. i. p. 41.

** Camden, p. 371. Heylin, p. 104. Strype, vol. i. p 54. Stowe, p. 635.

*** Burnet, vol. ii. p. 380. Strype, vol. i. p. 29.

A sovereign of this disposition was not likely to offend her subjects by any useless or violent exertions of power; and Elizabeth, though she threw out such hints as encouraged the Protestants delayed the entire change of religion till the meeting of the parliament, which was summoned to assemble. The elections had gone entirely against the Catholics, who seem not indeed to have made any great struggle for the superiority;[*] and the houses met in a disposition of gratifying the queen in every particular which she could desire of them. They began the session with a unanimous declaration, "that Queen Elizabeth was, and ought to be, as well by the word of God, as the common and statute laws of the realm, the lawful, undoubted, and true heir to the crown, lawfully descended from the blood royal, according to the order of succession settled in the thirty-fifth of Henry VIII."[**]

* Notwithstanding the bias of the nation towards the Protestant sect, it appears that some violence, at least according to our present ideas, was used in these elections: five candidates were nominated by the court to each borough, and three to each county; and by the sheriff's authority the members were chosen from among these candidates. See state papers collected by Edward, earl of Clarendon, p. 92.

* I Eliz. cap. 3.

This act of recognition was probably dictated by the queen herself and her ministers; and she showed her magnanimity, as well as moderation, in the terms which she employed on that occasion. She followed not Mary's practice in declaring the validity of her mother's marriage, or in expressly repealing the act formerly made against her own legitimacy: she knew that this attempt must be attended with reflections on her father's memory, and on the birth of her deceased sister; and as all the world was sensible, that Henry's divorce from Anne Boleyn was merely the effect of his usual violence and caprice, she scorned to found her title on any act of an assembly which had too much prostituted its authority by its former variable, servile, and iniquitous decisions. Satisfied, therefore, in the general opinion entertained with regard to this fact, which appeared the more undoubted, the less anxiety she discovered in fortifying it by votes and inquiries; she took possession of the throne both as her birthright, and as insured to her by former acts of parliament; and she never appeared anxious to distinguish these titles.[*]
The first bill brought into parliament with a view of trying their disposition on the head of religion, was that for suppressing the monasteries lately erected, and for restoring the tenths and first-fruits to the queen. This point being gained without much difficulty, a bill was next introduced, annexing the supremacy to the crown; and though the queen was there denominated "governess," not "head," of the church, it conveyed the same extensive power which under the latter title had been exercised by her father and brother. All the bishops who were present in the upper house strenuously opposed this law; and as they possessed more learning than the temporal peers, they triumphed in the debate; but the majority of voices in that house, as well as among the commons, was against them. By this act, the crown, without the concurrence either of the parliament, or even of the convocation, was vested with the whole spiritual power; might repress all heresies, might establish or repeal all canons, might alter every point of discipline, and might ordain or abolish any religious rite or ceremony,[**]

* Camden, p. 372. Heylin, p. 107, 108

** I Eliz. cap. 1. This last power was anew recognized in the bill of uniformity I Eliz. cap 2.

In determining heresy, the sovereign was only limited (if that could be called a limitation) to such doctrines as had been adjudged heresy by the authority of the Scripture, by the first four general councils, or by any general council which followed the Scripture as their rule, or to such other doctrines as should hereafter be denominated heresy by the parliament and convocation. In order to exercise this authority, the queen, by a clause of the act, was empowered to name commissioners, either laymen or clergymen, as she should think proper; and on this clause was afterwards founded the court of ecclesiastical commission; which assumed large discretionary, not to say arbitrary powers, totally incompatible with any exact boundaries in the constitution. Their proceedings, indeed, were only consistent with absolute monarchy; but were entirely suitable to the genius of the act on which they were established; an act that at once gave the crown alone all the power which had formerly been claimed by the popes, but which even these usurping prelates had never been able fully to exercise without some concurrence of the national clergy.

Whoever refused to take an oath acknowledging the queen's supremacy, was incapacitated from holding any office; whoever denied the supremacy, or attempted to deprive the queen of that prerogative, forfeited, for the first offence, all his goods and chattels; for the second, was subjected to the penalty of a præmunire; but the third offence was declared treason. These punishments, however severe, were less rigorous than those which were formerly, during the reigns of her father and brother, inflicted in like cases.

A law was passed confirming all the statutes enacted in King Edward's time with regard to religion:[*] the nomination of bishops was given to the crown, without any election of the chapters: the queen was empowered, on the vacancy of any see, to seize all the temporalities, and to bestow on the bishop elect an equivalent in the impropriations belonging to the crown. This pretended equivalent was commonly much inferior in value; and thus the queen, amidst all her concern for religion, followed the example of the preceding reformers in committing depredations on the ecclesiastical revenues.

The bishops and all incumbents were prohibited from alienating their revenues, and from letting leases longer than twenty-one years or three lives. This law seemed to be meant for securing the property of the church; but as an exception was left in favor of the crown, great abuses still prevailed. It was usual for the courtiers, during this reign, to make an agreement with a bishop or incumbent; and to procure a fictitious alienation to the queen, who afterwards transferred the lands to the person agreed on.[**] This method of pillaging the church was not remedied till the beginning of James I. The present depression of the clergy exposed them to all injuries; and the laity never stopped till they had reduced the church to such poverty, that her plunder was no longer a compensation for the odium incurred by it.

A solemn and public disputation was held during this session in presence of Lord Keeper Bacon, between the divines of the Protestant and those of the Catholic communion. The champions appointed to defend the religion of the sovereign were, as in all former instances, entirely triumphant; and the Popish disputants, being pronounced refractory and obstinate, were even punished by imprisonment.[***]

* I Eliz. cap. 2.

** Strype, vol. i. p. 79.

*** Strype, vol. i. p. 95.

Emboldened by this victory, the Protestants ventured on the last and most important step, and brought into parliament a bill[*] for abolishing the mass and reestablishing the liturgy of King Edward. Penalties were enacted, as well against those who departed from this mode of worship, as against those who absented themselves from the church and the sacraments. And thus in one session, without any violence, tumult, or clamor, was the whole system of religion altered, on the very commencement of a reign, and by the will of a young woman, whose title to the crown was by many thought liable to objections; an event which, though it may appear surprising to men in the present age, was every where expected on the first intelligence of Elizabeth's accession.

The commons also made a sacrifice to the queen, more difficult to obtain than that of any articles of faith: they voted a subsidy of four shillings in the pound on land, and two shillings and eightpence on movables, together with two fifteenths.[**] 1 The house in no instance departed from the most respectful deference and complaisance towards the queen. Even the importune address which they made her on the conclusion of the session, to fix her choice of a husband, could not, they supposed, be very disagreeable to one of her sex and age. The address was couched in the most respectful expressions, yet met with a refusal from the queen.

* 1 Eliz. cap. 2.

** See note A, at the end of the volume.

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She told the speaker, that, as the application from the house was conceived in general terms, only recommending marriage, without pretending to direct her choice of a husband, she could not take offence at the address, or regard it otherwise than as a new instance of their affectionate attachment to her: that any further interposition on their part, would have ill become either them to make as subjects, or her to bear as an independent princess: that even while she was a private person, and exposed to much danger, she had always declined that engagement, which she regarded as an encumbrance; much more, at present, would she persevere in this sentiment, when the charge of a great kingdom was committed to her, and her life ought to be entirely devoted to promoting the interests of religion and the happiness of her subjects: that as England was her husband, wedded to her by this pledge, (and here she showed her finger with the same gold ring upon it with which she had solemnly betrothed herself to the kingdom at her inauguration,) so all Englishmen were her children, and while she was employed in rearing or governing such a family, she could not deem herself barren, or her life useless and unprofitable: that if she ever entertained thoughts of changing her condition, the care of her subjects' welfare would still be uppermost in her thoughts; but should she live and die a virgin, she doubted not but divine Providence, seconded by their counsels and her own measures, would be able to prevent all dispute with regard to the succession, and secure them a sovereign who, perhaps better than her own issue, would imitate her example in loving and cherishing her people; and that for her part, she desired that no higher character, or fairer remembrance of her should be transmitted to posterity, than to have this inscription engraved on her tombstone, when she should pay the last debt to nature: "Here lies Elizabeth, who lived and died a maiden queen."[*]

After the prorogation of the parliament,[**] the laws enacted with regard to religion were put in execution, and met with little opposition from any quarter. The liturgy was again introduced in the vulgar tongue, and the oath of supremacy was tendered to the clergy. The number of bishops had been reduced to fourteen by a sickly season which preceded: and all these, except the bishop of Landaff, having refused compliance, were degraded from their sees: but of the inferior clergy throughout all England, where there are near ten thousand parishes, only eighty

rectors and vicars, fifty prebendaries fifteen heads of colleges, twelve archdeacons, and as many deans, sacrificed their livings to their religious principles.[***]

* Camden, p. 375. Sir Simon d'Ewes.

** It is thought remarkable by Camden, that though this session was the first of the reign, no person was attainted; but on the contrary, some restored in blood by the parliament; a good symptom of the lenity, at least of the prudence, of the queen's government; and that it should appear remarkable, is a proof of the rigor of preceding reigns.

*** Camden, p. 376. Heylin, p. 115. Strype, vol. i. p. 73, with some small variations.

Those in high ecclesiastic stations, being exposed to the eyes of the public, seem chiefly to have placed a point of honor in their perseverance; but on the whole, the Protestants, in the former change introduced by Mary, appear to have been much more rigid and conscientious. Though the Catholic religion, adapting itself to the senses, and enjoining observances which enter into the common train of life, does at present lay faster hold on the mind than the reformed, which, being chiefly spiritual, resembles more a system of metaphysics, yet was the proportion of zeal, as well as of knowledge, during the first ages after the reformation, much greater on the side of the Protestants. The Catholics continued, ignorantly and supinely, in their ancient belief, or rather their ancient practices: but the reformers, obliged to dispute on every occasion, and inflamed to a degree of enthusiasm by novelty and persecution had strongly attached themselves to their tenets; and were ready to sacrifice their fortunes, and even their lives, in support of their speculative and abstract principles.

The forms and ceremonies still preserved in the English liturgy, as they bore some resemblance to the ancient service, tended further to reconcile the Catholics to the established religion; and as the queen permitted no other mode of worship, and at the same time struck out every thing that could be offensive to them in the new liturgy,[*] even those who were addicted to the Romish communion made no scruple of attending the established church. Had Elizabeth gratified her own inclinations, the exterior appearance, which is the chief circumstance with the people, would have been still more similar between the new and the ancient form of worship. Her love of state and magnificence, which she affected in every thing, inspired her with an inclination towards the pomp of the Catholic religion; and it was merely in compliance with the prejudices of her party, that she gave up either images, or the addresses to saints, or prayers for the dead.[**] Some foreign princes interposed to procure the Romanists the privilege of separate assemblies in particular cities, but the queen would not comply with their request; and she represented the manifest danger of disturbing the national peace by a toleration of different religions.[***]

* Heylin, p. 111.

** Burnet, vol. ii. p. 376, 397. Camden, p. 371.

*** Camden, p. 378. Strype, vol. i. p. 150, 370.

While the queen and parliament were employed in settling the public religion, the negotiations for a peace were still conducted, first at Cercamp, then at Chateau-Cambresis, between the ministers of France, Spain, and England; and Elizabeth, though equally prudent, was not equally successful in this transaction. Philip employed his utmost efforts to procure the restitution of Calais, both as bound in honor to indemnify England which merely on his account had been drawn into the war; and as engaged in interest to remove France to a distance from his frontiers in the Low Countries. So long as he entertained hopes of espousing the queen, he delayed concluding a peace with Henry; and even after the change of religion in England deprived him of all such views, his ministers hinted to her a proposal which may be regarded as reasonable and honorable. Though all his own terms with France were settled, he seemed willing to continue the war till she should obtain satisfaction; provided she would stipulate to adhere to the Spanish alliance, and continue hostilities against Henry during the course of six years:[*]* but Elizabeth, after consulting with her ministers, wisely rejected this proposal. She was sensible of the low state of her finances; the great debts contracted by her father, brother, and sister; the disorders introduced into every part of the administration; the divisions by which her people were agitated; and she was convinced that nothing but tranquillity during some years could bring the kingdom again into a flourishing condition, or enable her to act with dignity and vigor in her transactions with foreign nations. Well acquainted with the value which Henry put upon Calais, and the impossibility, during the present emergence, of recovering it by treaty, she was willing rather to suffer that loss, than submit to such a dependence on Spain, as she must expect to fall into, if she continued pertinaciously in her present demand. She ordered, therefore, her ambassadors, Lord Effingham, the bishop of Ely, and Dr. Wotton, to conclude the negotiation, and to settle a peace with Henry on any reasonable terms. Henry offered to stipulate a marriage between the eldest daughter of the dauphin, and the eldest son of Elizabeth; and to engage for the restitution of Calais as the dowry of that princess;[**] but as the queen was sensible that this treaty would appear to the world a palpable evasion, she insisted upon more equitable, at least more plausible conditions.

* Forbes's Full View, vol. i. p. 59.

** Forbes's Full View, vol. i. p. 54.

It was at last agreed, that Henry should restore Calais at the expiration of eight years; that in case of failure, he should pay five hundred thousand crowns, and the queen's title to Calais still remain; that he should find the security of seven or eight foreign merchants, not natives of France, for the payment of this sum; that he should deliver five hostages till that security were provided; that if Elizabeth broke the peace with France or Scotland during the interval, she should forfeit all title to Calais; but if Henry made war on Elizabeth, he should be obliged immediately to restore that fortress.[*] All men of penetration easily saw that these stipulations were but a colorable pretence for abandoning Calais; but they excused the queen on account of the necessity of her affairs; and they even extolled her prudence in submitting without further struggle to that necessity. A peace with Scotland was a necessary consequence of that with France.

* Forbes, vol. i. p. 68. Rymer, tom. xv. p 505.

Philip and Henry terminated hostilities by a mutual restitution of all places taken during the course of the war; and Philip espoused the princess Elizabeth, eldest daughter of France, formerly betrothed to his son Don Carlos. The duke of Savoy married Margaret, Henry's sister, and obtained a restitution of all his dominions of Savoy and Piedmont, except a few towns retained by France. And thus general tranquillity seemed to be restored to Europe.

But though peace was concluded between France and England, there soon appeared a ground of quarrel of the most serious nature, and which was afterwards attended with the most important consequences. The two marriages of Henry VIII., that with Catharine of Arragon, and that with Anne Boleyn, were incompatible with each other; and it seemed impossible that both of them could be regarded as valid and legal: but still the birth of Elizabeth lay under some disadvantages to which that of her sister Mary was not exposed. Henry's first marriage had obtained the sanction of all the powers, both civil and ecclesiastical, which were then acknowledged in England; and it was natural for Protestants as well as Romanists to allow, on account of the sincere intention of the parties, that their issue ought to be regarded as legitimate, But his divorce and second marriage had been concluded in direct opposition to the see of Rome; and though they had been ratified by the authority both of the English parliament and convocation, those who were strongly attached to the Catholic communion, and who reasoned with great strictness were led to regard them as entirely invalid, and to deny altogether the queen's right of succession. The next heir of blood was the queen of Scots, now married to the dauphin; and the great power of that princess, joined to her plausible title rendered her a formidable rival to Elizabeth. The king of France had secretly been soliciting at Rome a bull of excommunication against the queen; and she had here been beholden to the good offices of Philip, who, from interest more than either friendship or generosity, had negotiated in her favor, and had successfully opposed the pretensions of Henry. But the court of France was not discouraged with this repulse; the duke of Guise and his brothers, thinking that it would much augment their credit if their niece should bring an accession of England, as she had already done of Scotland, to the crown of France, engaged the king not to neglect the claim; and, by their persuasion, he ordered his son and daughter-in-law to assume openly the arms as well as title of England, and to quarter these arms on all their equipages, furniture, and liveries. When the English ambassador complained of this injury he could obtain nothing but an evasive answer; that as the queen of Scots was descended from the blood royal of England, she was entitled, by the example of many princes, to assume the arms of that kingdom. But besides that this practice had never prevailed without permission being first obtained, and without making a visible difference between the arms, Elizabeth plainly saw that this pretension had not been advanced during the reign of her sister Mary; and that, therefore, the king of France intended, on the first opportunity, to dispute her legitimacy, and her title to the crown. Alarmed at the danger, she thenceforth conceived a violent jealousy against the queen of Scots; and was determined, as far as possible, to incapacitate Henry from the execution of his project. The sudden death of that monarch, who was killed in a tournament at Paris, while celebrating the espousals of his sister with the duke of Savoy, altered not her views. Being informed that his successor, Francis II., still continued to assume, without reserve, the title of King of England, she began to consider him and his queen as her mortal enemies; and the present situation of affairs in Scotland afforded her a favorable opportunity, both of revenging the injury, and providing for her own safety.

The murder of the cardinal-primate at St. Andrew's had deprived the Scottish Catholics of a head whose severity, courage, and capacity had rendered him extremely formidable to the innovators in religion; and the execution of the laws against heresy began thenceforth to be

more remiss. The queen regent governed the kingdom by prudent and moderate counsels; and as she was not disposed to sacrifice the civil interests of the state to the bigotry or interests of the clergy, she deemed it more expedient to temporize, and to connive at the progress of a doctrine which she had not power entirely to repress. When informed of the death of Edward, and the accession of Mary to the crown of England, she entertained hopes that the Scottish reformers, deprived of the countenance which they received from that powerful kingdom, would lose their ardor with their prospect of success, and would gradually return to the faith of their ancestors. But the progress and revolutions of religion are little governed by the usual maxims of civil policy; and the event much disappointed the expectations of the regent. Many of the English preachers, terrified with the severity of Mary's government, took shelter in Scotland, where they found more protection, and a milder administration; and while they propagated their theological tenets, they filled the whole kingdom with a just horror against the cruelties of the bigoted Catholics, and showed their disciples the fate which they must expect, if ever their adversaries should attain an uncontrolled authority over them.

A hierarchy, moderate in its acquisitions of power and riches, may safely grant a toleration to sectaries; and the more it softens the zeal of innovators by lenity and liberty, the more securely will it possess those advantages which the legal establishments bestow upon it. But where superstition has raised a church to such an exorbitant height as that of Rome, persecution is less the result of bigotry in the priests, than of a necessary policy; and the rigor of law is the only method of repelling the attacks of men who, besides religious zeal, have so many other motives, derived both from public and private interest, to engage them on the side of innovation. But though such overgrown hierarchies may long support themselves by these violent expedients, the time comes when severities tend only to enrage the new sectaries, and make them break through all bounds of reason and moderation. This crisis was now visibly approaching in Scotland; and whoever considers merely the transactions resulting from it, will be inclined to throw the blame equally on both parties; whoever enlarges his view, and reflects on the situations, will remark the necessary progress of human affairs, and the operation of those principles which are inherent in human nature.

Some heads of the reformers in Scotland, such as the earl of Argyle, his son Lord Lorne, the earls of Morton and Glencarne, Erskine of Dun, and others, observing the danger to which they were exposed, and desirous to propagate their principles, entered privately into a bond or association; and called themselves the "congregation" of the Lord, in contradistinction to the established church, which they denominated the congregation of Satan. The tenor of the bond was as follows: "We, perceiving how Satan, in his members, the Antichrist of our time, do cruelly rage, seeking to overthrow and to destroy the gospel of Christ and his congregation, ought, according to our bounden duty, to strive in our master's cause, even unto the death, being certain of the victory in him. We do therefore promise, before the majesty of God and his congregation, that we, by his grace, shall with all diligence continually apply our whole power, substance, and our very lives, to maintain, set forward, and establish the most blessed word of God and his congregation; and shall labor, by all possible means, to have faithful ministers, truly and purely to minister Christ's gospel and sacraments to his people: we shall maintain them, nourish them, and defend them, the whole congregation of Christ, and every member thereof, by our whole power, and at the hazard of our lives, against Satan, and all wicked power who may intend tyranny and trouble against the said congregation; unto which holy word and congregation we do join ourselves; and we forsake and renounce the congregation of Satan, with all the superstitious abomination and idolatry thereof; and moreover shall declare ourselves manifestly enemies thereto, by this faithful promise before God, testified to this congregation by our subscriptions. At Edinburgh, the third of December, 1557."[*]

* Keith, p. 66. Knox, p. 101.

Had the subscribers of this zealous league been content only to demand a toleration of the new opinions, however incompatible their pretensions might have been with the policy of the church of Rome, they would have had the praise of opposing tyrannical laws, enacted to support an establishment prejudicial to civil society: but it is plain that they carried their views much further; and their practice immediately discovered the spirit by which they were actuated. Supported by the authority which they thought belonged to them as the congregation of the Lord, they ordained that prayers in the vulgar tongue[*] should be used in all the parish churches of the kingdom; and that preaching and the interpretation of the Scriptures should be practised in private houses, til God should move the prince to grant public preaching by faithful and true ministers.[**] Such bonds of association are always the fore-runners of rebellion; and this violent invasion of the established religion was the actual commencement of it.

Before this league was publicly known or avowed, the clergy, alarmed with the progress of the reformation, attempted to recover their lost authority by a violent exercise of power, which tended still further to augment the zeal and number of their enemies. Hamilton, the primate, seized Walter Mill, a priest of an irreproachable life, who had embraced the new doctrines; and having tried him at St. Andrew's, condemned him to the flames for heresy. Such general aversion was entertained against this barbarity, that it was some time before the bishops could prevail on any one to act the part of a civil judge, and pronounce sentence upon Mill; and even after the time of his execution was fixed, all the shops of St. Andrew's being shut, no one would sell a rope to tie him to the stake and the primate himself was obliged to furnish this implement. The man bore the torture with that courage which, though usual on these occasions, always appears supernatural and astonishing to the multitude. The people, to express their abhorrence against the cruelty of the priests, raised a monument of stones on the place of his execution; and as fast as the stones were removed by order of the clergy, they were again supplied from the voluntary zeal of the populace.[***] It is in vain for men to oppose the severest punishment to the united motives of religion and public applause; and this was the last barbarity of the kind which the Catholics had the power to exercise in Scotland.

* The reformers used at that time King Edward's liturgy in Scotland. Forbes, p. 155.

* Keith, p. 66. Knox, p. 101.

* Knox, p. 122.

Some time after, the people discovered their sentiments in such a manner as was sufficient to prognosticate to the priests the fate which was awaiting them. It was usual on the festival of St. Giles, the tutelar saint of Edinburgh, to carry in procession the image of that saint; but the Protestants, in order to prevent the ceremony, found means, on the eve of the festival, to purloin the statue from the church; and they pleased themselves with imagining the surprise and disappointment of his votaries. The clergy, however, framed hastily a new image, which in derision was called by the people young St. Giles; and they carried it through the streets, attended by all the ecclesiastics in the town and neighborhood. The multitude abstained from violence so long as the queen regent continued a spectator; but the moment she retired, they invaded the idol, threw it in the mire, and broke it in pieces. The flight and terror of the priests

and friars, who, it was remarked, deserted, in his greatest distress, the object of their worship, was the source of universal mockery and laughter.

Encouraged by all these appearances, the congregation proceeded with alacrity in openly soliciting subscriptions to their league; and the death of Mary of England, with the accession of Elizabeth, which happened about this time, contributed to increase their hopes of final success in their undertaking. They ventured to present a petition to the regent, craving a reformation of the church, and of the "wicked, scandalous, and detestable" lives of the prelates and ecclesiastics.[*] They framed a petition which they intended to present to parliament, and in which, after premising that they could not communicate with the damnable idolatry and intolerable abuses of the Papistical church, they desired that the laws against heretics should be executed by the civil magistrate alone, and that the Scripture should be the sole rule in judging of heresy.[**] They even petitioned the convocation, and insisted that prayers should be said in the vulgar tongue, and that bishops should be chosen with the consent of the gentry of the diocese, and priests with the consent of the parishioners.[***] The regent prudently temporized between these parties; and as she aimed at procuring a matrimonial crown for her son-in-law the dauphin, she was, on that as well as other accounts, unwilling to come to extremities with either of them.

*	Knox,	p.	121.		
**	Knox,	p.	123.		
***	Keith,	p.	78,	81,	82.

But after this concession was obtained, she received orders from France, probably dictated by the violent spirit of her brothers, to proceed with rigor against the reformers, and to restore the royal authority by some signal act of power.[*] She made the more eminent of the Protestant teachers be cited to appear before the council at Stirling; but when their followers were marching thither in great multitudes, in order to protect and countenance them, she entertained apprehensions of an insurrection, and, it is said, dissipated the people by a promise[**] 2 that nothing should be done to the prejudice of the ministers. Sentence, however, was passed, by which all the ministers were pronounced rebels, on account of their not appearing; a measure which enraged the people, and made them resolve to oppose the regent's authority by force of arms, and to proceed to extremities against the clergy of the established religion.

In this critical time, John Knox arrived from Geneva, where he had passed some years in banishment, and where he had imbibed, from his commerce with Calvin, the highest fanaticism of his sect, augmented by the native ferocity of his own character. He had been invited back to Scotland by the leaders of the reformation; and mounting the pulpit at Perth, during the present ferment of men's minds, he declaimed with his usual vehemence against the idolatry and other abominations of the church of Rome, and incited his audience to exert their utmost zeal for its subversion. A priest was so imprudent, after this sermon, as to open his repository of images and relics, and prepare himself to say mass. The audience, exalted to a disposition for any furious enterprise, were as much enraged as if the spectacle had not been quite familiar to them: they attacked the priest with fury, broke the images in pieces, tore the pictures, overthrew the altars, scattered about the sacred vases; and left no implement of idolatrous worship, as they termed it, entire or undefaced. They thence proceeded, with additional numbers and augmented rage, to the monasteries of the Gray and Black friars, which they pillaged in an instant: the Carthusians underwent the same fate: and the populace, not content with robbing and expelling the monks, vented their fury on the buildings which had been the

receptacles of such abomination; and in a little time nothing but the walls of these edifices were left standing. The inhabitants of Coupar, in Fife, soon after imitated the example.[***]

* Melvil's Memoirs, p. 24. Jebb. vol. ii. p. 446.

** See note B, at the end of the volume.

*** Spotswood, p. 121. Knox, p. 127.

The queen regent, provoked at these violences, assembled an army, and prepared to chastise the rebels. She had about two thousand French under her command, with a few Scottish troops; and being assisted by such of the nobility as were well affected to her, she pitched her camp within ten miles of Perth. Even the earl of Argyle, and Lord James Stuart, prior of St. Andrew's, the queen's natural brother, though deeply engaged with the reformers, attended the regent in this enterprise, either because they blamed the fury of the populace, or hoped by their own influence and authority to mediate some agreement between the parties. The congregation, on the other hand, made preparations for defence; and being joined by the earl of Glencarne from the west, and being countenanced by many of the nobility and gentry, they appeared formidable from their numbers, as well as from the zeal by which they were animated. They sent an address to the regent, where they plainly insinuated, that if they were pursued to extremities by the "cruel beasts" the churchmen, they would have recourse to foreign powers for assistance; and they subscribed themselves her faithful subjects in all things not repugnant to God, assuming, at the same time, the name of the faithful congregation of Christ Jesus.[*] They applied to the nobility attending her, and maintained, that their own past violences were justified by the word of God, which commands the godly to destroy idolatry, and all the monuments of it; and though all civil authority was sacred, yet was there a great difference between the authority and the persons who exercised it;[**] and that it ought to be considered, whether or not those abominations, called by the pestilent Papists religion, and which they defend by fire and sword, be the true religion of Christ Jesus. They remonstrated with such of the queen's army as had formerly embraced their party, and told them, "that as they were already reputed traitors by God, they should likewise be excommunicated from their society, and from the participation of the sacraments of the church which God by his mighty power had erected among them; whose ministers have the same authority which Christ granted to his apostles in these words, 'Whose sins ye shall forgive shall be forgiven, and whose sins ye shall retain shall be retained.'"[***]

* Knox, p. 129.

** Knox, p. 131.

*** Knox, p. 133.

We may here see, that these new saints were no less lofty in their pretensions than the ancient hierarchy: no wonder they were enraged against the latter as their rivals in dominion. They joined to all these declarations an address to the established church; and they affixed this title to it: "To the generation of Antichrist, the pestilent prelates and their 'shavelings'[*] in Scotland, the congregation of Christ Jesus within the same sayeth." The tenor of the manifesto was suitable to the title. They told the ecclesiastics, "As ye by tyranny intend not only to destroy our bodies, but also by the same to hold our souls in bondage of the devil, subject to idolatry, so shall we, with all the force and power which God shall grant unto us, execute just

vengeance and punishment upon you: yea, we shall begin that same war which God commanded Israel to execute against the Canaanites; that is, contract of peace shall never be made till you desist from your open idolatry, and cruel persecution of God's children. And this, in the name of the eternal God, and of his Son Christ Jesus, whose verity we profess, and gospel we have preached, and holy sacraments rightly administered, we signify unto you to be our intent, so far as God will assist us to withstand your idolatry. Take this for warning, and be not deceived."[**] With these outrageous symptoms commenced in Scotland that cant, hypocrisy, and fanaticism which long infested that kingdom, and which, though now mollified by the lenity of the civil power, is still ready to break out on all occasions.

The queen regent, finding such obstinate zeal in the rebels, was content to embrace the counsels of Argyle and the prior of St. Andrew's, and to form an accommodation with them. She was received into Perth, which submitted, on her promising an indemnity for past offences, and engaging not to leave any French garrison in the place. Complaints, very ill founded, immediately arose concerning the infraction of this capitulation. Some of the inhabitants, it was pretended, were molested on account of the late violences; and some companies of Scotch soldiers, supposed to be in French pay, were quartered in the town; which step, though taken on very plausible grounds, was loudly exclaimed against by the congregation.[***]

* A contemptuous term for a priest.

* Keith, p. 85, 86, 87. Knox, p. 134.

* Knox, p. 139.

It is asserted that the regent, to justify these measures, declared, that princes ought not to have their promises too strictly urged upon them; nor was any faith to be kept with heretics: and that for her part, could she find as good a color, she would willingly bereave all these men of their lives and fortunes.[*] But it is nowise likely that such expressions ever dropped from this prudent and virtuous princess. On the contrary, it appears that all these violences were disagreeable to her; that she was in this particular overruled by the authority of the French counsellors placed about her; and that she often thought, if the management of those affairs had been intrusted wholly to herself, she could easily, without force, have accommodated all differences.[**] 3

The congregation, inflamed with their own zeal, and enraged by these disappointments, remained not long in tranquillity. Even before they left Perth, and while as yet they had no color to complain of any violation of treaty, they had signed a new covenant, in which, besides their engagements to mutual defence, they vowed, in the name of God, to employ their whole power in destroying every thing that dishonored his holy name; and this covenant was subscribed, among others, by Argyle and the prior of St. Andrew's.[***]

* Knox, p. 139. Spotswood, p. 123.

** See note C, at the end of the volume.

*** Keith, p 89. Knox, p. 138.

These two leaders now desired no better pretence for deserting the regent and openly joining their associates, than the complaints, however doubtful, or rather false, of her breach of promise. The congregation also, encouraged by this accession of force, gave themselves up entirely to the furious zeal of Knox, and renewed at Crail, Anstruther, and other places in Fife,

like depredations on the churches and monasteries with those formerly committed at Perth and Coupar. The regent, who marched against them with her army, finding their power so much increased, was glad to conclude a truce for a few days, and to pass over with her forces to the Lothians. The reformers besieged and took Perth; proceeded thence to Stirling, where they exercised their usual fury; and finding nothing able to resist them, they bent their march to Edinburgh, the inhabitants of which, as they had already anticipated the zeal of the congregation against the churches and monasteries, gladly opened their gates to them. The regent, with the few forces which remained with her, took shelter in Dunbar, where she fortified herself, in expectation of a reënforcement from France.

Meanwhile, she employed her partisans in representing to the people the dangerous consequences of this open rebellion; and she endeavored to convince them, that the Lord James, under pretence of religion, had formed the scheme of wresting the sceptre from the hands of the sovereign. By these considerations many were engaged to desert the army of the congregation; but much more by the want of pay, or any means of subsistence; and the regent, observing the malecontents to be much weakened, ventured to march to Edinburgh, with a design of suppressing them. On the interposition of the duke of Chatelrault, who still adhered to her, she agreed to a capitulation, in which she granted them a toleration of their religion, and they engaged to commit no further depredations on the churches. Soon after, they evacuated the city; and before they left it, they proclaimed the articles of agreement; but they took care to publish only the articles favorable to themselves, and they were guilty of an imposture, in adding one to the number, namely, that idolatry should not again be erected in any place where it was at that time suppressed.[*] 4

An agreement concluded while men were in this disposition, could not be durable; and both sides endeavored to strengthen themselves as much as possible against the ensuing rupture, which appeared inevitable. The regent, having got a reënforcement of one thousand men from France, began to fortify Leith; and the congregation seduced to their party the duke of Chatelrault, who had long appeared inclined to join them, and who was at last determined by the arrival of his son, the earl of Arran, from France, where he had escaped many dangers from the jealousy, as well as bigotry, of Henry and the duke of Guise. More French troops soon after disembarked under the command of La Brosse, who was followed by the bishop of Amiens, and three doctors of the Sorbonne. These last were supplied with store of syllogisms, authorities, citations, and scholastic arguments, which they intended to oppose to the Scottish preachers, and which, they justly presumed, would acquire force, and produce conviction, by the influence of the French arms and artillery.[**]

* See note D, at the end of the volume.

** Spotswood, p. 134. Thuan. lib. xxiv. c. 10.

The constable Montmorency had always opposed the marriage of the dauphin with the queen of Scots, and had foretold that, by forming such close connections with Scotland, the ancient league would be dissolved; and the natives of that kingdom, jealous of a foreign yoke, would soon become, instead of allies, attached by interest and inclination, the most inveterate enemies to the French government. But though the event seemed now to have justified the prudence of that aged minister, it is not improbable, considering the violent counsels by which France was governed, that the insurrection was deemed a favorable event; as affording a pretence for sending over armies, for entirely subduing the country, for attainting the rebels,[*] and for preparing means thence to invade England, and support Mary's title to the crown of that kingdom. The leaders of the congregation, well acquainted with these views, were not insensible of their danger, and saw that their only safety consisted in the vigor and success of

their measures. They were encouraged by the intelligence received of the sudden death of Henry II.; and having passed an act from their own authority, depriving the queen dowager of the regency, and ordering all the French troops to evacuate the kingdom, they collected forces to put their edict in execution against them. They again became masters of Edinburgh; but found themselves unable to keep long possession of that city. Their tumultuary armies, assembled in haste, and supported by no pay, soon separated upon the least disaster, or even any delay of success; and were incapable of resisting such veteran troops as the French, who were also seconded by some of the Scottish nobility, among whom the earl of Bothwell distinguished himself., Hearing that the marquis of Elbeuf, brother to the regent, was levying an army against them in Germany, they thought themselves excusable for applying, in this extremity, to the assistance of England; and as the sympathy of religion, as well as regard to national liberty, had now counterbalanced the ancient animosity against that kingdom, this measure was the result of inclination no less than of interest.[**] 5 Maitland of Lidington, therefore, and Robert Melvil, were secretly despatched by the congregation to solicit succors from Elizabeth.

* Forbes, vol. i. p. 139. Thuan. lib. xxiv. c. 13.

** See note E, at the end of the volume.

The wise council of Elizabeth did not long deliberate in agreeing to this request, which concurred so well with the views and interests of their mistress. Cecil in particular represented to the queen, that the union of the crowns of Scotland and France, both of them the hereditary enemies of England, was ever regarded as a pernicious event; and her father, as well as Protector Somerset, had employed every expedient both of war and negotiation to prevent it: that the claim which Mary advanced to the crown rendered the present situation of England still more dangerous, and demanded on the part of the queen the greatest vigilance and precaution; that the capacity, ambition, and exorbitant views of the family of Guise, who now governed the French counsels, were sufficiently known; and they themselves made no secret of their design to place their niece on the throne of England: that deeming themselves secure of success, they had already, somewhat imprudently and prematurely, taken off the mask; and Throgmorton, the English ambassador at Paris, sent over, by every courier, incontestable proofs of their hostile intentions:[*] that they only waited till Scotland should be entirely subdued; and having thus deprived the English of the advantages resulting from their situation and naval power, they prepared means for subverting the queen's authority: that the zealous Catholics in England, discontented with the present government, and satisfied in the legality of Mary's title, would bring them considerable reënforcement, and would disturb every measure of defence against that formidable power: that the only expedient for preventing these designs, was to seize the present opportunity, and take advantage of a like zeal in the Protestants of Scotland; nor could any doubt be entertained with regard to the justice of a measure founded on such evident necessity, and directed only to the ends of self-preservation: that though a French war, attended with great expense, seemed the necessary consequence of supporting the malecontents in Scotland, that power, if removed to the continent, would be much less formidable; and a small disbursement at present would, in the end, be found the greatest frugality: and that the domestic dissensions of France, which every day augmented, together with the alliance of Philip, who, notwithstanding his bigotry and hypocrisy, would never permit the entire conquest of England, were sufficient to secure the queen against the dangerous ambition and resentment of the house of Guise.[**]

* Forbes, vol. i. p. 134, 136, 149, 150, 159, 165, 181, 194, 229, 231, 235—241, 253.

** Forbes, vol. i. p 387 Jebb, vol. i. p. 448. Keith, Append. 24.

Elizabeth's propensity to caution and economy was, though with some difficulty,[*] overcome by these powerful motives and she prepared herself to support by arms and money the declining affairs of the congregation in Scotland. She equipped a fleet, which consisted of thirteen ships of war; and giving the command of it to Winter, she sent it to the Frith of Forth: she appointed the young duke of Norfolk her lieutenant in the northern counties; and she assembled, at Berwick, an army of eight thousand men under the command of Lord Gray, warden of the east and middle marches. Though the court of France, sensible of the danger, offered her to make immediate restitution of Calais, provided she would not interpose in the affairs of Scotland, she resolutely replied, that she never would put an inconsiderable fishing-town in competition with the safety of her dominions;[**] and she still continued her preparations. She concluded a treaty of mutual defence with the congregation, which was to last during the marriage of the queen of Scots with Francis, and a year after; and she promised never to desist till the French had entirely evacuated Scotland.[***] And having thus taken all proper measures for success, and received from the Scots six hostages for the performance of articles, she ordered her fleet and army to begin their operations.

* Forbes, vol. i. p. 454, 460.

** Spotswood, p. 146.

*** Knox, p. 217. Haynes's State Papers, vol. i. p. 153. Rymer, tom. xv. p. 569.

1560.

The appearance of Elizabeth's fleet in the frith disconcerted the French army, who were at that time ravaging the county of Fife; and obliged them to make a circuit by Stirling, in order to reach Leith, where they prepared themselves for defence. The English army, reënforced by five thousand Scots,[*] sat down before the place; and after two skirmishes, in the former of which the English had the advantage, in the latter the French, they began to batter the town; and, though repulsed with considerable loss in a rash and ill-conducted assault, they reduced the garrison to great difficulties. Their distress was augmented by two events; the dispersion by a storm of D'Elbeuf's fleet, which carried a considerable army on board,[**] and the death of the queen, regent, who expired about this time in the Castle of Edinburgh; a woman endowed with all the capacity which shone forth in her family, but possessed of much more virtue and moderation than appeared in the conduct of the other branches of it. The French, who found it impossible to subsist for want of provisions, and who saw that the English were continually reënforced by fresh numbers, were obliged to capitulate; and the bishop of Valence and Count Randan, plenipotentiaries from France, signed a treaty at Edinburgh with Cecil and Dr. Wotton, whom Elizabeth had sent thither for that purpose. It was there stipulated, that the French should instantly evacuate Scotland; that the king and queen of France and Scotland should thenceforth abstain from bearing the arms of England, or assuming the title of that kingdom; that further satisfaction for the injury already done in that particular should be granted Elizabeth; and that commissioners should meet to settle this point, or, if they could not agree, that the king of Spain should be umpire between the crowns. Besides these stipulations, which regarded England, some concessions were granted to the Scots; namely, that an amnesty

should be published for all past offences; that none but natives should enjoy any office in Scotland; that the states should name twenty-four persons, of whom the queen of Scots should choose seven, and the states five, and in the hands of these twelve should the whole administration be placed during their queen's absence; and that Mary should neither make peace nor war without consent of the states.[***] In order to hasten the execution of this important treaty, Elizabeth sent ships, by which the French forces were transported into their own country.

* Haynes, vol i. p. 256, 259.

** Haynes. vol. i. p. 223.

*** Rymer, tom. xv. p. 593. Keith, p. 137. Spotswood, p. 147. Knox, p. 229.

Thus Europe saw, in the first transaction of this reign, the genius and capacity of the queen and her ministers. She discerned at a distance the danger which threatened her; and instantly took vigorous measures to prevent it. Making all possible advantages of her situation, she proceeded with celerity to a decision; and was not diverted by any offers, negotiations, or remonstrances of the French court. She stopped not till she had brought the matter to a final issue; and had converted that very power, to which her enemies trusted for her destruction, into her firmest support and security. By exacting no improper conditions from the Scottish malecontents, even during their greatest distresses, she established an entire confidence with them; and having cemented the union by all the ties of gratitude, interest, and religion, she now possessed an influence over them beyond what remained even with their native sovereign. The regard which she acquired by this dexterous and spirited conduct, gave her every where, abroad as well as at home, more authority than had attended her sister, though supported by all the power of the Spanish monarchy.[*]

The subsequent measures of the Scottish reformers tended still more to cement their union with England. Being now entirely masters of the kingdom, they made no further ceremony or scruple in fully effecting their purpose. In the treaty of Edinburgh, it had been agreed, that a parliament or convention should soon be assembled; and the leaders of the congregation, not waiting till the queen of Scots should ratify that treaty, thought themselves fully entitled, without the sovereign's authority, immediately to summon a parliament. The reformers presented a petition to this assembly, in which they were not contented with desiring the establishment of their doctrine, they also applied for the punishment of the Catholics, whom they called vassals to the Roman harlot; and they asserted, that among all the rabble of the clergy—such is their expression—there was not one lawful minister; but that they were all of them thieves and murderers; yea, rebels and traitors to civil authority, and therefore unworthy to be suffered in any reformed commonwealth.[**] The parliament seem to have been actuated by the same spirit of rage and persecution. After ratifying a confession of faith agreeable to the new doctrines, they passed a statute against the mass, and not only abolished it in all the churches, but enacted, that whoever any where either officiated in it, or was present at it, should be chastised, for the first offence, with confiscation of goods and corporal punishment, at the discretion of the magistrate; for the second, with banishment; and for the third, with loss of life.[***]

* Forbes, vol. i. p. 354, 372. Jebb, vol. ii. p. 452.

** Knox, p. 237. 238.

A law was also voted for abolishing the papal jurisdiction in Scotland: the Presbyterian form of discipline was settled, leaving only at first some shadow of authority to certain ecclesiastics, whom they called superintendents. The prelates of the ancient faith appeared, in order to complain of great injustice committed on them by the invasion of their property, but the parliament took no notice of them; till at last these ecclesiastics, tired with fruitless attendance, departed the town. They were then cited to appear; and as nobody presented himself, it was voted by the parliament, that the ecclesiastics were entirely satisfied, and found no reason of complaint.

Sir James Sandilands, prior of St. John, was sent over to France to obtain the ratification of these acts; but was very ill received by Mary, who denied the validity of a parliament summoned without the royal consent; and she refused her sanction to those statutes. But the Protestants gave themselves little concern about their queen's refusal. They immediately put the statutes in execution; they abolished the mass; they settled their ministers; they committed every where furious devastations on the monasteries, and even on the churches, which they thought profaned by idolatry; and deeming the property of the clergy lawful prize, they took possession, without ceremony, of the far greater part of the ecclesiastical revenues. Their new preachers, who had authority sufficient to incite them to war and insurrection, could not restrain their rapacity; and fanaticism concurring with avarice, an incurable wound was given to the papal authority in that country. The Protestant nobility and gentry, united by the consciousness of such unpardonable guilt, alarmed for their new possessions, well acquainted with the imperious character of the house of Guise, saw no safety for themselves but in the protection of England; and they despatched Morton, Glencarne, and Lidington, to express their sincere gratitude to the queen for her past favors, and represent to her the necessity of continuing them.

Elizabeth, on her part, had equal reason to maintain a union with the Scottish Protestants; and soon found that the house of Guise, notwithstanding their former disappointments, had not laid aside the design of contesting her title, and subverting her authority. Francis and Mary, whose counsels were wholly directed by them, refused to ratify the treaty of Edinburgh and showed no disposition to give her any satisfaction for that mortal affront which they had put upon her, by their openly assuming the title and arms of England. She was sensible of the danger attending such pretensions; and it was with pleasure she heard of the violent factions which prevailed in the French government, and of the opposition which had arisen against the measures of the duke of Guise. That ambitious prince, supported by his four brothers, the cardinal of Lorraine, the duke of Aumale, the marquis of Elbeuf, and the grand prior, men no less ambitious than himself, had engrossed all the authority of the crown; and as he was possessed of every quality which could command the esteem or seduce the affections of men, there appeared no end of his acquisitions and pretensions. The constable, Montmorency, who had long balanced his credit, was deprived of all power: the princes of the blood, the king of Navarre, and his brother, the prince of Condé, were entirely excluded from offices and favor: the queen mother herself, Catharine de Medicis, found her influence every day declining; and as Francis, a young prince, infirm both in mind and body, was wholly governed by his consort, who knew no law but the pleasure of her uncles, men despaired of ever obtaining freedom from the dominion of that aspiring family. It was the contests of religion which first inspired the French with courage openly to oppose their unlimited authority.

The theological disputes, first started in the north of Germany, next in Switzerland, countries at that time wholly illiterate, had long ago penetrated into France; and as they were assisted by the general discontent against the court and church of Rome, and by the zealous spirit of the

age, the proselytes to the new religion were secretly increasing in every province. Henry II., in imitation of his father, Francis, had opposed the progress of the reformers; and though a prince addicted to pleasure and society, he was transported by a vehemence, as well as bigotry, which had little place in the conduct of his predecessor. Rigorous punishments had been inflicted on the most eminent of the Protestant party; and a point of honor seemed to have arisen, whether the one sect could exercise, or the other suffer, most barbarity. The death of Henry put some stop to the persecutions; and the people, who had admired the constancy of the new preachers, now heard with favor their doctrines and arguments. But the cardinal of Lorraine, as well as his brothers, who were possessed of the legal authority, thought it their interest to support the established religion; and when they revived the execution of the penal statutes, they necessarily drove the malecontent princes and nobles to embrace the protection of the new religion. The king of Navarre, a man of mild dispositions, but of a weak character, and the prince of Condé, who possessed many great qualities, having declared themselves in favor of the Protestants, that sect acquired new force from their countenance; and the admiral, Coligny, with his brother Andelot, no longer scrupled to make open profession of their communion. The integrity of the admiral, who was believed sincere in his attachment to the new doctrine, and his great reputation both for valor and conduct, for the arts of peace as well as of war brought credit to the reformers; and after a frustrated attempt of the malecontents to seize the king's person at Amboise of which Elizabeth had probably some intelligence,[*] every place was full of distraction, and matters hastened to an open rupture between the parties. But the house of Guise, though these factions had obliged them to remit their efforts in Scotland, and had been one chief cause of Elizabeth's success, were determined not to relinquish their authority in France, or yield to the violence of their enemies. They found an opportunity of seizing the king of Navarre and the prince of Condé; they threw the former into prison; they obtained a sentence of death against the latter; and they were proceeding to put the sentence in execution, when the king's sudden death saved the noble prisoner, and interrupted the prosperity of the duke of Guise. The queen mother was appointed regent to her son Charles IX., now in his minority: the king of Navarre was named lieutenant-general of the kingdom: the sentence against Condé was annulled: the constable was recalled to court: and the family of Guise, though they still enjoyed great offices and great power, found a counterpoise to their authority.

* Forbes, vol. i. p. 214. Throgmorton, about this time, unwilling to intrust to letters the great secrets committed to him, obtained leave, under some pretext, to come over to London.

1561.

Elizabeth was determined to make advantage of these events against the queen of Scots, whom she still regarded as a dangerous rival. She saw herself freed from the perils attending a union of Scotland with France, and from the pretensions of so powerful a prince as Francis; but she considered, at the same time, that the English Catholics, who were numerous, and who were generally prejudiced in favor of Mary's title, would now adhere to that princess with more zealous attachment, when they saw that her succession no longer endangered the liberties of the kingdom, and was rather attended with the advantage of effecting an entire union with Scotland. She gave orders, therefore, to her ambassador, Throgmorton, a vigilant and able minister, to renew his applications to the queen of Scots, and to require her ratification of the treaty of Edinburgh. But though Mary had desisted, after her husband's death, from bearing the arms and title of Queen of England, she still declined gratifying Elizabeth in this momentous

article; and being swayed by the ambitious suggestions of her uncles, she refused to make any formal renunciation of her pretensions.

Meanwhile the queen mother of France, who imputed to Mary all the mortifications which she had met with during Francis's lifetime, took care to retaliate on her by like injuries; and the queen of Scots, finding her abode in France disagreeable, began to think of returning to her native country. Lord James, who had been sent in deputation from the states to invite her over, seconded these intentions; and she applied to Elizabeth, by D'Oisel, for a safe-conduct, in case she should be obliged to pass through England;[*] but she received for answer, that, till she had given satisfaction, by ratifying the treaty of Edinburgh, she could expect no favor from a person whom she had so much injured.

* Goodall, vol. i. p. 175.

This denial excited her indignation; and she made no scruple of expressing her sentiments to Throgmorton, when he reiterated his applications to gratify his mistress in a demand which he represented as so reasonable. Having cleared the room of her attendants, she said to him, "How weak I may prove, or how far a woman's frailty may transport me, I cannot tell: however, I am resolved not to have so many witnesses of my infirmity as your mistress had at her audience of my ambassador D'Oisel. There is nothing disturbs me so much, as the having asked, with so much impunity, a favor which it was of no consequence for me to obtain. I can, with God's leave, return to my own country without *her* leave; as I came to France, in spite of all the opposition of her brother, King Edward: neither do I want friends both able and willing to conduct me home, as they have brought me hither; though I was desirous rather to make an experiment of your mistress's friendship, than of the assistance of any other person. I have often heard you say, that a good correspondence between her and myself would conduce much to the security and happiness of both our kingdoms: were she well convinced of this truth, she would hardly have denied me so small a request. But perhaps she bears a better inclination to my rebellious subjects than to me, their sovereign, her equal in royal dignity, her near relation, and the undoubted heir of her kingdoms. Besides her friendship, I ask nothing at her hands: I neither trouble her, nor concern myself in the affairs of her state: not that I am ignorant, that there are now in England a great many malecontents, who are no friends to the present establishment. She is pleased to upbraid me as a person little experienced in the world: I freely own it; but age will cure that defect. However, I am already old enough to acquit myself honestly and courteously to my friends and relations, and to encourage no reports of your mistress which would misbecome a queen and her kinswoman. I would also say, by her leave, that I am a queen as well as she, and not altogether friendless: and, perhaps, I have as great a soul too; so that methinks we should be upon a level in our treatment of each other. As soon as I have consulted the states of my kingdom, I shall be ready to give her a seasonable answer; and I am the more intent on my journey, in order to make the quicker despatch in this affair. But she, it seems, intends to stop my journey; so that either she will not let me give her satisfaction, or is resolved not to be satisfied; perhaps on purpose to keep up the disagreement between us. She has often reproached me with my being young; and I must be very young indeed, and as ill advised, to treat of matters of such great concern and importance without the advice of my parliament. I have not been wanting in all friendly offices to her; but she disbelieves or overlooks them. I could heartily wish that I were as nearly allied to her in affection as in blood; for that indeed would be a most valuable alliance."[*]

* Caballa, p. 374. Spotswood, p. 177.

Such a spirited reply, notwithstanding the obliging terms interspersed in it, was but ill fitted to conciliate friendship between these rival princesses, or cure those mutual jealousies which had already taken place. Elizabeth equipped a fleet on pretence of pursuing pirates, but probably with an intention of intercepting the queen of Scots in her return homewards. Mary embarked at Calais; and passing the English fleet in a fog, arrived safely at Leith, attended by her three uncles, the duke of Aumale, the grand prior, and the marquis of Elbeuf, together with the marquis of Damville and other French courtiers. This change of abode and situation was very little agreeable to that princess. Besides her natural prepossessions in favor of a country in which she had been educated from her earliest infancy, and where she had borne so high a rank, she could not forbear both regretting the society of that people, so celebrated for their humane disposition and their respectful attachment to their sovereign, and reflecting on the disparity of the scene which lay before her. It is said, that after she was embarked at Calais, she kept her eyes fixed on the coast of France, and never turned them from that beloved object till darkness fell, and intercepted it from her view. She then ordered a couch to be spread for her in the open air; and charged the pilot, that, if in the morning the land were still in sight, he should awake her, and afford her one parting view of that country in which all her affections were centred. The weather proved calm, so that the ship made little way in the night-time; and Mary had once more an opportunity of seeing the French coast. She sat up on her couch, and still looking towards the land, often repeated these words: "Farewell, France, farewell, I shall never see thee more."[*] The first aspect, however, of things in Scotland was more favorable, if not to her pleasure and happiness, at least to her repose and security, than she had reason to apprehend. No sooner did the French galleys appear off Leith, than people of all ranks, who had long expected their arrival, flocked towards the shore with an earnest impatience to behold and receive their young sovereign. Some were led by duty, some by interest, some by curiosity; and all combined to express their attachment to her, and to insinuate themselves into her confidence on the commencement of her administration. She had now reached her nineteenth year; and the bloom of her youth and amiable beauty of her person were further recommended by the affability of her address, the politeness of her manners, and the elegance of her genius. Well accomplished in all the superficial but engaging graces of a court, she afforded, when better known, still more promising indications of her character; and men prognosticated both humanity from her soft and obliging deportment, and penetration from her taste in all the refined arts of music, eloquence, and poetry.[**] And as the Scots had long been deprived of the presence of their sovereign, whom they once despaired ever more to behold among them, her arrival seemed to give universal satisfaction; and nothing appeared about the court but symptoms of affection, joy, and festivity.

* Keith, p. 179. Jebb, vol. ii. p. 483.

** Buchan. lib. xvii. c. 9. Spotswood, p. 178, 179. Keith, p. 180. Thuan. lib xxix. c. 2.

The first measures which Mary embraced confirmed all the prepossessions entertained in her favor. She followed the advice given her in France by D'Oisel and the bishop of Amiens, as well as her uncles; and she bestowed her confidence entirely on the leaders of the reformed party, who had greatest influence over the people, and who, she found, were alone able to support her government. Her brother, Lord James, whom she soon after created earl of Murray, obtained the chief authority; and after him Lidington, secretary of state, a man of great sagacity, had a principal share in her confidence. By the vigor of these men's measures, she endeavored to establish order and justice in a country divided by public factions and private

feuds; and that fierce, intractable people, unacquainted with laws and obedience, seemed, for a time, to submit peaceably to her gentle and prudent administration.

But there was one circumstance which blasted all these promising appearances, and bereaved Mary of that general favor which her agreeable manners and judicious deportment gave her just reason to expect. She was still a Papist, and though she published, soon after her arrival, a proclamation enjoining every one to submit to the established religion, the preachers and their adherents could neither be reconciled to a person polluted with so great an abomination, nor lay aside their jealousies of her future conduct. It was with great difficulty she could obtain permission for saying mass in her own chapel; and had not the people apprehended, that if she had here met with a refusal, she would instantly have returned to France, the zealots never would have granted her even that small indulgence. The cry was, "Shall we suffer that idol to be again erected within the realm?" It was asserted in the pulpit, that one mass was more terrible than ten thousand armed men landed to invade the kingdom:[*] Lord Lindesey, and the gentlemen of Fife, exclaimed, "that the idolater should die the death;" such was their expression. One that carried tapers for the ceremony of that worship was attacked and insulted in the court of the palace. And if Lord James and some popular leaders had not interposed, the most dangerous uproar was justly apprehended from the ungoverned fury of the multitude.[**]

* Knox, p. 287.

** Knox, p. 284, 285, 287. Spotswood, p. 179.

The usual prayers in the churches were to this purpose: that God would turn the queen's heart, which was obstinate against him and his truth; or if his holy will be otherwise, that he would strengthen the hearts and hands of the elect, stoutly to oppose the rage of all tyrants.[*] Nay, it was openly called in question, whether that princess, being an idolatress, was entitled to any authority, even in civil matters.[**]

The helpless queen was every moment exposed to contumely, which she bore with benignity and patience. Soon after her arrival, she dined in the Castle of Edinburgh; and it was there contrived, that a boy, six years of age, should be let down from the roof, and should present her with a Bible, a Psalter, and the keys of the castle. Lest she should be at a loss to understand this insult on her as a Papist, all the decorations expressed the burning of Corah, Dathan, and Abiram, and other punishments inflicted by God upon idolatry.[***] The town council of Edinburgh had the assurance, from their own authority, to issue a proclamation banishing from their district "all the wicked rabble of Antichrist the pope, such as priests, monks, friars, together with adulterers and fornicators."[****] And because the privy council suspended the magistrates for their insolence, the passionate historians[v] of that age have inferred that the queen was engaged, by a sympathy of manners, to take adulterers and fornicators under her protection. It appears probable, that the magistrates were afterwards reinstated in their office, and that their proclamation was confirmed.[v*]

* Keith, p. 179.

** Keith, p. 202.

*** Keith, p. 189.

*** Keith, p. 192.

v Knox, p. 292. Buchan. lib. xvii. c. 20. Haynes, vol. i. p. 372.

v* Keith, p. 202.

But all the insolence of the people was inconsiderable in comparison of that which was exercised by the clergy and the preachers, who took a pride in vilifying, even to her face, this amiable princess. The assembly of the church framed an address, in which, after telling her that her mass was a bastard service of God, the fountain of all impiety, and the source of every evil which abounded in the realm, they expressed their hopes, that she would ere this time have preferred truth to her own preconceived opinion, and have renounced her religion, which, they assured her, was nothing but abomination and vanity. They said, that the present abuses of government were so enormous, that if a speedy remedy were not provided, God would not fail in his anger to strike the head and the tail, the disobedient prince and sinful people. They required, that severe punishment should be inflicted on adulterers and fornicators. And they concluded with demanding for themselves some addition both of power and property.[*]
The ringleader in all these insults on majesty was John Knox; who possessed an uncontrolled authority in the church and even in the civil affairs of the nation, and who triumphed in the contumelious usage of his sovereign. His usual appellation for the queen was Jezebel; and though she endeavored by the most gracious condescension to win his favor, all her insinuations could gain nothing on his obdurate heart. She promised him access to her whenever he demanded it; and she even desired him, if he found her blamable in any thing, to reprehend her freely in private, rather than vilify her in the pulpit before the whole people: but he plainly told her, that he had a public ministry intrusted to him; that if she would come to church, she should there hear the gospel of truth, and that it was not his business to apply to every individual, nor had he leisure for that occupation.[**] The political principles of the man, which he communicated to his brethren, were as full of sedition, as his theological were of rage and bigotry. Though he once condescended so far as to tell the queen that he would submit to her, in the same manner as Paul did to Nero,[***] he remained not long in this dutiful strain. He said to her, that "Samuel feared not to slay Agag the fat and delicate king of Amalek, whom King Saul had saved; neither spared Elias Jezebel's false prophets, and Baal's priests, though King Ahab was present. Phineas," added he, "was no magistrate; yet feared he not to strike Cosbi and Zimri in the very act of filthy fornication. And so, madam, your grace may see that others than chief magistrates may lawfully inflict punishment on such crimes as are condemned by the law of God."[****] Knox had formerly, during the reign of Mary of England, written a book against female succession to the crown: the title of it is, "The first blast of the trumpet against the monstrous regimen of women." He was too proud either to recant the tenets of this book, or even to apologize for them; and his conduct showed that he thought no more civility than loyalty due to any of the female sex.

* Knox, p. 311, 312.

** Knox, p. 310.

*** Knox, p. 288.

**** Knox, p. 326.

The whole life of Mary was, from the demeanor of these men, filled with bitterness and sorrow. This rustic apostle scruples not, in his history, to inform us, that he once treated her with such severity, that she lost all command of temper, and dissolved in tears before him: yet so far from

being moved with youth, and beauty, and royal dignity reduced to that condition, he persevered in his insolent reproofs; and when he relates this incident, he discovers a visible pride and satisfaction in his own conduct.[*] The pulpits had become mere scenes of railing against the vices of the court; among which were always noted as the principal, feasting, finery, dancing, balls, and whoredom, their necessary attendant.[**] Some ornaments, which the ladies at that time wore upon their petticoats, excited mightily the indignation of the preachers; and they affirmed, that such vanity would provoke God's vengeance not only against these foolish women, but against the whole realm.[***]

Mary, whose age, condition, and education, invited her to liberty and cheerfulness, was curbed in all amusements by the absurd severity of these reformers; and she found every moment reason to regret her leaving that country, from whose manners she had in her early youth received the first impressions.[****] Her two uncles, the duke of Aumale and the grand prior, with the other French nobility, soon took leave of her: the marquis of Elbeuf remained some time longer; but after his departure, she was left to the society of her own subjects; men unacquainted with the pleasures of conversation, ignorant of arts and civility, and corrupted, beyond their usual rusticity, by a dismal fanaticism, which rendered them incapable of all humanity or improvement. Though Mary had made no attempt to restore the ancient religion, her Popery was a sufficient crime: though her behavior was hitherto irreproachable, and her manners sweet and engaging, her gayety and ease were interpreted as signs of dissolute vanity. And to the harsh and preposterous usage which this princess met with may, in part, be ascribed those errors of her subsequent conduct which seemed so little of a piece with the general tenor of her character.

* Knox, p. 332, 333.

** Knox, p. 322.

*** Knox, p. 330.

**** Knox, p. 294

There happened to the marquis of Elbeuf, before his departure, an adventure which, though frivolous, might enable him to give Mary's friends in France a melancholy idea of her situation. This nobleman, with the earl of Bothwell and some other young courtiers, had been engaged, after a debauch, to pay a visit to a woman called Alison Craig, who was known to be liberal of her favors; and because they were denied admittance, they broke the windows, thrust open the door, and committed some disorders in searching for the damsel. It happened that the assembly of the church was sitting at that time, and they immediately took the matter under their cognizance. In conjunction with several of the nobility, they presented an address to the queen, which was introduced with this awful prelude: "To the queen's majesty, and to her secret and great council, her grace's faithful and obedient subjects, the professors of Christ Jesus's holy evangil, wish the spirit of righteous judgment." The tenor of the petition was that the fear of God, the duty which they owed her grace, and the terrible threatenings denounced by God against every city or country where horrible crimes were openly committed, compelled them to demand the severe punishment of such as had done what in them lay to kindle the wrath of God against the whole realm; that the iniquity of which they complained was so heinous and so horrible that they should esteem themselves accomplices in it, if they had been engaged by worldly fear, or servile complaisance, to pass it over in silence, or bury it in oblivion: that as they owed her grace obedience, in the administration of justice, so were they entitled to require of her, in return, the sharp and condign punishment of this enormity, which, they

repeated it, might draw down the vengeance of God on the whole kingdom: and that they maintained it to be her duty to lay aside all private affections towards the actors in so heinous a crime, and so enormous a villany, and without delay bring them to a trial, and inflict the severest penalty upon them. The queen gave a gracious reception to his peremptory address, but because she probably thought that breaking the windows of a brothel merited not such severe reprehension, she only replied, that her uncle was a stranger, and that he was attended by a young company; but she would put such order to him and to all others that her subjects should henceforth have no reason to complain. Her passing over this incident so slightly was the source of great discontent, and was regarded as a proof of the most profligate manners.[*]

* Knox, p. 302, 303, 304. Keith, p. 509.

It is not to be omitted, that Alison Craig, the cause of all the uproar was known to entertain a commerce with the earl of Arran, who, on account of his great zeal for the reformation, was, without scruple, indulged in that enormity.[*]

Some of the populace of Edinburgh broke into the queen's chapel during her absence, and committed outrages; for which two of them were indicted, and it was intended to bring them to a trial. Knox wrote circular letters to the most considerable zealots of the party, and charged them to appear in town and protect their brethren. The holy sacraments, he there said, are abused by profane Papists; the mass has been said; and in worshipping that idol, the priests have omitted no ceremony, not even the conjuring of their accursed water, that had ever been practised in the time of the greatest blindness. These violent measures for opposing justice were little short of rebellion; and Knox was summoned before the council to answer for his offence. The courage of the man was equal to his insolence. He scrupled not to tell the queen that the pestilent Papists who had inflamed her against these holy men were the sons of the devil; and must therefore obey the directions of their father, who had been a liar and a manslayer from the beginning. The matter ended with the full acquittal of Knox.[**] Randolph, the English ambassador in Scotland, had reason to write to Cecil, speaking of the Scottish nation, "I think marvellously of the wisdom of God, that gave this unruly, inconstant, and cumbersome people no more power nor substance; for they would otherwise run wild."[***]

* Knox.

** Knox, p. 336, 342.

*** Keith, p. 202.

We have related these incidents at greater length than the necessity of our subject may seem to require; but even trivial circumstances, which show the manners of the age, are often more instructive, as well as entertaining, than the great transactions of wars and negotiations, which are nearly similar in all periods and in all countries of the world.

The reformed clergy in Scotland had at that time a very natural reason for their ill humor; namely, the poverty, or rather beggary, to which they were reduced. The nobility and gentry had at first laid their hands on all the property of the regular clergy, without making any provision for the friars and nuns, whom they turned out of their possessions. The secular clergy of the Catholic communion, though they lost all ecclesiastical jurisdiction, still held some of the temporalities of their benefices; and either became laymen themselves and converted them into private property, or made conveyance of them at low prices to the nobility, who thus enriched themselves by the plunder of the church. The new teachers had hitherto subsisted chiefly by the voluntary oblations of the faithful; and in a poor country, divided in religious

sentiments, this establishment was regarded as very scanty and very precarious. Repeated applications were made for a legal settlement to the preachers; and though almost every thing in the kingdom was governed by their zeal and caprice, it was with difficulty that their request was at last complied with. The fanatical spirit which they indulged, and their industry in decrying the principles and practices of the Romish communion, which placed such merit in enriching the clergy, proved now a very sensible obstacle to their acquisitions. The convention, however, passed a vote,[*] by which they divided all the ecclesiastical benefices into twenty-one shares: they assigned fourteen to the ancient possessors: of the remaining seven they granted three to the crown; and if that were found to answer the public expenses, they bestowed the overplus on the reformed ministers. The queen was empowered to levy all the seven; and it was ordained that she should afterwards pay to the clergy what should be judged to suffice for their maintenance. The necessities of the crown, the rapacity of the courtiers, and the small affection which Mary bore to the Protestant ecclesiastics, rendered their revenues contemptible as well as uncertain; and the preachers, finding that they could not rival the gentry, or even the middling rank of men, in opulence and plenty, were necessitated to betake themselves to other expedients for supporting their authority. They affected a furious zeal for religion, morose manners, a vulgar and familiar, yet mysterious cant; and though the liberality of subsequent princes put them afterwards on a better footing with regard to revenue, and thereby corrected in some degree those bad habits, it must be confessed that, while many other advantages attend Presbyterian government, these inconveniences are not easily separated from the genius of that ecclesiastical polity.

* Knox, p. 296. Keith, p. 210.

The queen of Scots, destitute of all force, possessing a narrow revenue, surrounded with a factious, turbulent nobility, a bigoted people, and insolent ecclesiastics, soon found that her only expedient for maintaining tranquillity was to preserve a good correspondence with Elizabeth,[*] who, by former connections and services, had acquired such authority over all these ranks of men.

* Jebb, vol. ii. p. 456.

Soon after her arrival in Scotland, Secretary Lidington was sent to London, in order to pay her compliments to the queen, and express her desire of friendship and a good correspondence; and he received a commission from her, as well as from the nobility of Scotland, to demand, as a means of cementing this friendship, that Mary should, by act of parliament or by proclamation, (for the difference between these securities was not then deemed very considerable,) be declared successor to the crown. No request could be more unreasonable, or made at a more improper juncture. The queen replied, that Mary had once discovered her intention not to wait for the succession, but had openly, without ceremony or reserve, assumed the title of Queen of England, and had pretended a superior right to her throne and kingdom: that though her ambassadors and those of her husband, the French king, had signed a treaty, in which they renounced that claim, and promised satisfaction for so great an indignity, she was so intoxicated with this imaginary right, that she had rejected the most earnest solicitations, and even, as some endeavored to persuade her, had incurred some danger, in crossing the seas, rather than ratify that equitable treaty: that her partisans every where had still the assurance to insist on her title, and had presumed to talk of her own birth as illegitimate: that while affairs were on this footing; while a claim thus openly made, so far from being openly renounced, was only suspended till a more favorable opportunity; it would in her be the most egregious imprudence to fortify the hands of a pretender to her crown by declaring her the

successor: that no expedient could be worse imagined for cementing friendship than such a declaration; and kings were often found to bear no good will to their successors, even though their own children; much more when the connection was less intimate, and when such cause of disgust and jealousy had already been given, and indeed was still continued, on the part of Mary: that though she was willing, from the amity which she bore her kinswoman, to ascribe her former pretensions to the advice of others, by whose direction she was then governed, her present refusal to relinquish them could proceed only from her own prepossessions, and was a proof that she still harbored some dangerous designs against her: that it was the nature of all men to be disgusted with the present, to entertain flattering views of futurity, to think their services ill rewarded, to expect a better recompense from the successor; and she should esteem herself scarcely half a sovereign over the English, if they saw her declare her heir, and arm her rival with authority against her own repose and safety: that she knew the inconstant nature of the people; she was acquainted with the present divisions in religion; she was not ignorant that the same party, which expected greater favor during the reign of Mary, did also imagine that the title of that princess was superior to her own: that for her part, whatever claims were advanced, she was determined to live and die queen of England; and after her death it was the business of others to examine who had the best pretensions, either by the laws or by right of blood, to the succession: that she hoped the claim of the queen of Scots would then be found solid; and, considering the injury which she herself had received, it was sufficient indulgence if she promised, in the mean time, to do nothing which might in any respect weaken or invalidate it: and that Mary, if her title were really preferable—a point which, for her own part, she had never inquired into—possessed all advantages above her rivals; who, destitute both of present power and of all support by friends, would only expose themselves to inevitable ruin, by advancing any weak, or even doubtful pretensions.[*]

These views of the queen were so prudent and judicious, that there was no likelihood of her ever departing from them: but that she might put the matter to a fuller proof, she offered to explain the words of the treaty of Edinburgh, so as to leave no suspicion of their excluding Mary's right of succession;[**] and in this form she again required her to ratify that treaty. Matters at last came to this issue, that Mary agreed to the proposal, and offered to renounce all present pretensions to the crown of England, provided Elizabeth would agree to declare her the successor.[***] But such was the jealous character of this latter princess, that she never would consent to strengthen the interest and authority of any claimant by fixing the succession; much less would she make this concession in favor of a rival queen, who possessed such plausible pretensions for the present, and who, though she might verbally renounce them, could easily resume her claim on the first opportunity.

* Buchanan, lib. xvii. c. 14-17. Camden, p. 385. Spotswood, p. 180, 181.

** Spotswood, p. 181.

*** Haynes, vol. i. p. 377.

Mary's proposal, however, bore so specious an appearance of equity and justice, that Elizabeth, sensible that reason would, by superficial thinkers, be deemed to lie entirely on that side, made no more mention of the matter; and though further concessions were never made by either princess, they put on all the appearances of a cordial reconciliation and friendship with each other.

The queen observed that, even without her interposition, Mary was sufficiently depressed by the mutinous spirit of her own subjects; and instead of giving Scotland for the present any

inquietude or disturbance, she employed herself, more usefully and laudably, in regulating the affairs of her own kingdom, and promoting the happiness of her people. She made some progress in paying those great debts which lay upon the crown; she regulated the coin, which had been much debased by her predecessors; she furnished her arsenals with great quantities of arms from Germany and other places; engaged her nobility and gentry to imitate her example in this particular; introduced into the kingdom the art of making gunpowder and brass cannon; fortified her frontiers on the side of Scotland; made frequent reviews of the militia; encouraged agriculture, by allowing a free exportation of corn; promoted trade and navigation; and so much increased the shipping of her kingdom, both by building vessels of force herself, and suggesting like undertakings to the merchants, that she was justly styled the restorer of naval glory, and the queen of the northern seas.[*] The natural frugality of her temper, so far from incapacitating her for these great enterprises, only enabled her to execute them with greater certainty and success; and all the world, saw in her conduct the happy effects of a vigorous perseverance in judicious and well-concerted projects.

* Camden, p. 388. Strype, vol. i. p. 230, 336, 337.

It is easy to imagine that so great a princess, who enjoyed such singular felicity and renown, would receive proposals of marriage from every one that had any likelihood of succeeding; and though she had made some public declarations in favor of a single life, few believed that she would persevere forever in that resolution. The archduke Charles, second son of the emperor,[*] as well as Casimir, son of the elector palatine, made applications to her; and as this latter prince professed the reformed religion, he thought himself, on that account, better entitled to succeed in his addresses. Eric, king of Sweden, and Adolph, duke of Holstein, were encouraged by the same views to become suitors: and the earl of Arran, heir to the crown of Scotland, was, by the states of that kingdom, recommended to her as a suitable marriage.

* Haynes, vol. i. p. 233.

Even some of her own subjects, though they did not openly declare their pretensions, entertained hopes of success. The earl of Arundel, a person declining in years, but descended from an ancient and noble family, as well as possessed of great riches, flattered himself with this prospect; as did also Sir William Pickering, a man much esteemed for his personal merit. But the person most likely to succeed, was a younger son of the late duke of Northumberland, Lord Robert Dudley, who, by means of his exterior qualities, joined to address and flattery, had become in a manner her declared favorite, and had great influence in all her counsels. The less worthy he appeared of this distinction, the more was his great favor ascribed to some violent affection, which could thus seduce the judgment of this penetrating princess; and men long expected that he would obtain the preference above so many princes and monarchs. But the queen gave all these suitors a gentle refusal, which still encouraged their pursuit; and thought that she should the better attach them to her interest, if they were still allowed to entertain hopes of succeeding in their pretensions. It is also probable that this policy was not entirely free from a mixture of female coquetry; and that, though she was determined in her own mind never to share her power with any man, she was not displeased with the courtship, solicitation, and professions of love, which the desire of acquiring so valuable a prize procured her from all quarters.

What is most singular in the conduct and character of Elizabeth is, that though she determined never to have any heir of her own body, she was not only very averse to fix any successor to the crown, but seems, also, to have resolved, as far as it lay in her power, that no one who had pretensions to the succession should ever have any heirs or successors. If the exclusion given by

the will of Henry VIII. to the posterity of Margaret, queen of Scotland, was allowed to be valid, the right to the crown devolved on the house of Suffolk; and the lady Catharine Gray, younger sister to the lady Jane, was now the heir of that family. This lady had been married to Lord Herbert, son of the earl of Pembroke; but having been divorced from that nobleman, she had made a private marriage with the earl of Hertford, son of the protector; and her husband, soon after consummation, travelled into France. In a little time she appeared to be pregnant, which so enraged Elizabeth, that she threw her into the Tower, and summoned Hertford to appear, in order to answer for his misdemeanor. He made no scruple of acknowledging the marriage, which, though concluded without the queen's consent, was entirely suitable to both parties; and for this offence he was also committed to the Tower. Elizabeth's severity stopped not here: she issued a commission to inquire into the matter; and as Hertford could not, within the time limited, prove the nuptials by witnesses, the commerce between him and his consort was declared unlawful, and their posterity illegitimate. They were still detained in custody, but by bribing their keepers, they found means to have further intercourse; and another child appeared to be the fruit of their commerce. This was a fresh source of vexation to the queen; who made a fine of fifteen thousand pounds be set on Hertford by the star chamber and ordered his confinement to be thenceforth more rigid and severe. He lay in this condition for nine years, till the death of his wife, by freeing Elizabeth from all fears, procured him his liberty.[*] This extreme severity must be accounted for, either by the unrelenting jealousy of the queen, who was afraid lest a pretender to the succession should acquire credit by having issue; or by her malignity, which, with all her great qualities, made one ingredient in her character, and which led her to envy in others those natural pleasures of love and posterity, of which her own ambition and desire of dominion made her renounce all prospect for herself.

* Haynes, vol. i. p. 369, 378, 396. Camden, p. 389. Heylin, p. 154.

There happened, about this time, some other events in the royal family where the queen's conduct was more laudable. Arthur Pole and his brother, nephews to the late cardinal, and descended from the duke of Clarence, together with Anthony Fortescue, who had married a sister of these gentlemen, and some other persons, were brought to their trial for intending to withdraw into France, with a view of soliciting succors from the duke of Guise, of returning thence into Wales, and of proclaiming Mary queen of England, and Arthur Pole duke of Clarence. They confessed the indictment, but asserted that they never meant to execute these projects during the queen's lifetime: they had only deemed such precautions requisite in case of her demise, which some pretenders to judicial astrology had assured them they might with certainty look for before the year expired. They were condemned by the jury; but received a pardon from the queen's clemency.[*]

* Strype, vol. i. p. 333. Heylin, p. 154.

CHAPTER XXXIX.

ELIZABETH.

1562.

After the commencement of the religious wars in France, which rendered that flourishing kingdom, during the course of near forty years, a scene of horror and devastation, the great rival powers in Europe were Spain and England; and it was not long before an animosity, first political, then personal, broke out between the sovereigns of these countries.

Philip II. of Spain, though he reached not any enlarged views of policy, was endowed with great industry and sagacity, a remarkable caution in his enterprises, an unusual foresight in all his measures; and as he was ever cool, and seemingly unmoved by passion, and possessed neither talents nor inclination for war, both his subjects and his neighbors had reason to expect justice, happiness, and tranquillity from his administration. But prejudices had on him as pernicious effects as ever passion had on any other monarch; and the spirit of bigotry and tyranny by which he was actuated, with the fraudulent maxims which governed his counsels, excited the most violent agitation among his own people, engaged him in acts of the most enormous cruelty, and threw all Europe into combustion.

After Philip had concluded peace at Chateau-Cambresis and had remained some time in the Netherlands, in order to settle the affairs of that country, he embarked for Spain; and as the gravity of that nation, with their respectful obedience to their prince, had appeared more agreeable to his humor than the homely, familiar manners and the pertinacious liberty of the Flemings, it was expected that he would for the future reside altogether at Madrid, and would govern all his extensive dominions by Spanish ministers and Spanish counsels. Having met with a violent tempest on his voyage, he no sooner arrived in harbor than he fell on his knees; and after giving thanks for his deliverance, he vowed that his life, which was thus providentially saved, should thenceforth be entirely devoted to the extirpation of heresy.[*] His subsequent conduct corresponded to these professions. Finding that the new doctrines had penetrated into Spain, he let loose the rage of persecution against all who professed them, or were suspected of adhering to them; and by his violence he gave new edge even to the usual cruelty of priests and inquisitors. He threw into prison Constantine Ponce, who had been confessor to his father, the emperor Charles; who had attended him during his retreat; and in whose arms that great monarch had terminated his life: and after this ecclesiastic died in confinement, he still ordered him to be tried and condemned for heresy, and his statue to be committed to the flames. He even deliberated whether he should not exercise like severity against the memory of his father, who was suspected, during his later years, to have indulged a propensity towards the Lutheran principles: in his unrelenting zeal for orthodoxy, he spared neither age, sex, nor condition: he was present, with an inflexible countenance, at the most barbarous executions: he issued rigorous orders for the prosecution of heretics in Spain, Italy, the Indies, and the Low Countries: and having founded his determined tyranny on maxims of civil policy, as well as on principles of religion, he made it apparent to all his subjects, that there was no method, except the most entire compliance or most obstinate resistance, to escape or elude the severity of his vengeance.

* Thuanns, lib. xxiii. cap. 14.

During that extreme animosity which prevailed between the adherents of the opposite religions, the civil magistrate, who found it difficult, if not impossible, for the same laws to govern such enraged adversaries, was naturally led, by specious rules of prudence, in embracing one party, to declare war against the other, and to exterminate by fire and sword those bigots who, from abhorrence of his religion, had proceeded to an opposition of his power and to a hatred of his person. If any prince possessed such enlarged views as to foresee, that a mutual toleration would in time abate the fury of religious prejudices, he yet met with difficulties in reducing this principle to practice; and might deem the malady too violent to await a remedy, which, though certain, must necessarily be slow in its operation. But Philip, though a profound hypocrite, and extremely governed by self-interest seems also to have been himself actuated by an imperious bigotry; and as he employed great reflection in all his conduct, he could easily palliate the gratification of his natural temper under the color of wisdom, and find in this system no less advantage to his foreign than his domestic politics. By

placing himself at the head of the Catholic party, he converted the zealots of the ancient faith into partisans of Spanish greatness; and by employing the powerful allurement of religion, he seduced every where the subjects from that allegiance which they owed to their native sovereign.

The course of events, guiding and concurring with choice, had placed Elizabeth in a situation diametrically opposite; and had raised her to be the glory, the bulwark, and the support of the numerous, though still persecuted Protestants, throughout Europe. More moderate in her temper than Philip, she found, with pleasure, that the principles of her sect required not such extreme severity in her domestic government as was exercised by that monarch; and having no object but self-preservation, she united her interests in all foreign negotiations with those who were every where struggling under oppression, and guarding themselves against ruin and extermination. The more virtuous sovereign was thus happily thrown into the more favorable cause; and fortune, in this instance, concurred with policy and nature.

During the lifetime of Henry II. of France, and of his successor, the force of these principles was somewhat restrained, though not altogether overcome, by motives of a superior interest; and the dread of uniting England with the French monarchy engaged Philip to maintain a good correspondence with Elizabeth. Yet even during this period he rejected the garter which she sent him; he refused to ratify the ancient league between the house of Burgundy and England;[*] he furnished ships to transport French forces into Scotland; he endeavored to intercept the earl of Arran, who was hastening to join the malecontents in that country; and the queen's wisest ministers still regarded his friendship as hollow and precarious.[**]

* Digges's Complete Ambassador, p. 369. Haynes, p. 585. Strype vol. iv. No. 246.

** Haynes, vol. i. p. 280, 281, 283, 284.

But no sooner did the death of Francis II. put an end to Philip's apprehensions with regard to Mary's succession, than his animosity against Elizabeth began more openly to appear; and the interests of Spain and those of England were found opposite in every negotiation and transaction.

The two great monarchies of the continent, France and Spain, being possessed of nearly equal force, were naturally antagonists; and England, from its power and situation, was entitled to support its own dignity, as well as tranquillity, by holding the balance between them. Whatever incident, therefore, tended too much to depress one of these rival powers, as it left the other without control, might be deemed contrary to the interests of England; yet so much were these great maxims of policy overruled, during that age, by the disputes of theology, that Philip found an advantage in supporting the established government and religion of France, and Elizabeth in protecting faction and innovation.

The queen regent of France, when reinstated in authority by the death of her son Francis, had formed a plan of administration more subtle than judicious; and balancing the Catholics with the Hugonots, the duke of Guise with the prince of Condé, she endeavored to render herself necessary to both, and to establish her own dominion on their constrained obedience.[*] But the equal counterpoise of power, which, among foreign nations, is the source of tranquillity, proves always the ground of quarrel between domestic factions; and if the animosity of religion concur with the frequent occasions which present themselves of mutual injury, it is impossible during any time, to preserve a firm concord in so delicate a situation. The constable Montmorency, moved by zeal for the ancient faith, joined himself to the duke of Guise: the king of Navarre, from his inconstant temper, and his jealousy of the superior genius of his brother, embraced the same party: and Catharine, finding herself depressed by this combination, had

recourse to Condé and the Hugonots, who gladly embraced the opportunity of fortifying themselves by her countenance and protection.[**]

* Davila, lib. ii.

** Davila, lib. iii

An edict had been published, granting a toleration to the Protestants; but the interested violence of the duke of Guise, covered with the pretence of religious zeal, broke through this agreement; and the two parties, after the fallacious tranquillity of a moment, renewed their mutual insults and injuries. Condé, Coligny, Andelot assembled their friends and flew to arms: Guise and Montmorency got possession of the king's person, and constrained the queen regent to embrace their party: fourteen armies were levied and put in motion in different parts of France;[*] each province, each city, each family, was agitated with intestine rage and animosity. The father was divided against the son; brother against brother; and women themselves, sacrificing their humanity as well as their timidity to the religious fury, distinguished themselves by acts of ferocity and valor.[**] Wherever the Hugonots prevailed, the images were broken, the altars pillaged, the churches demolished, the monasteries consumed with fire: where success attended the Catholics, they burned the Bibles, rebaptized the infants, constrained married persons to pass anew through the nuptial ceremony: and plunder, desolation, and bloodshed attended equally the triumph of both parties. The parliament of Paris itself, the seat of law and justice, instead of employing its authority to compose these fatal quarrels, published an edict by which it put the sword into the hands of the enraged multitude, and empowered the Catholics every where to massacre the Hugonots:[***] and it was during this period, when men began to be somewhat enlightened, and in this nation, renowned for polished manners, that the theological rage, which had long been boiling in men's veins, seems to have attained its last stage of virulence and ferocity.

* Father Paul, lib. vii.

** Father Paul, lib. vii.

*** Father Paul, lib. vii. Haynes, p. 391.

Philip, jealous of the progress which the Hugonots made in France, and dreading that the contagion would spread into the Low Country provinces, had formed a secret alliance with the princes of Guise, and had entered into a mutual concert for the protection of the ancient faith and the suppression of heresy. He now sent six thousand men, with some supply of money, to reënforce the Catholic party; and the prince of Condé, finding himself unequal to so great a combination, countenanced by the royal authority, was obliged to despatch the Vidame of Chartres and Briguemaut to London, in order to crave the assistance and protection of Elizabeth. Most of the province of Normandy was possessed by the Hugonots: and Condé offered to put Havre de Grace into the hands of the English; on condition that, together with three thousand man for the garrison of that place, the queen should likewise send over three thousand to defend Dieppe and Rouen, and should furnish the prince with a supply of a hundred thousand crowns.[*]

Elizabeth, besides the general and essential interest of supporting the Protestants, and opposing the rapid progress of her enemy the duke of Guise, had other motives which engaged her to accept of this proposal. When she concluded the peace at Chateau-Cambresis, she had good reason to foresee that France never would voluntarily fulfil the article which regarded the

restitution of Calais; and many subsequent incidents had tended to confirm this suspicion. Considerable sums of money had been expended on the fortifications; long leases had been granted of the lands; and many inhabitants had been encouraged to build and settle there, by assurances that Calais should never be restored to the English.[**] The queen therefore wisely concluded, that, could she get possession of Havre, a place which commanded the mouth of the Seine, and was of greater importance than Calais, she should easily constrain the French to execute the treaty, and should have the glory of restoring to the crown that ancient possession, so much the favorite of the nation.

No measure could be more generally odious in France than the conclusion of this treaty with Elizabeth. Men were naturally led to compare the conduct of Guise, who had finally expelled the English, and had debarred these dangerous and destructive enemies from all access into France, with the treasonable politics of Condé, who had again granted them an entrance into the heart of the kingdom. The prince had the more reason to repent of this measure, as he reaped not from it all the advantage which he expected. Three thousand English immediately took possession of Havre and Dieppe, under the command of Sir Edward Poinings; but the latter place was found so little capable of defence, that it was immediately abandoned.[***] The siege of Rouen was already formed by the Catholics, under the command of the king of Navarre and Montmorency; and it was with difficulty that Poinings could throw a small reënforcement into the place. Though these English troops behaved with gallantry,[****] and though the king of Navarre was mortally wounded during the siege, the Catholics still continued the attack of the place, and carrying it at last by assault, put the whole garrison to the sword.

* Forbes, vol. ii. p. 48.

** Forbes, vol. ii. p. 54, 257.

*** Forbes, vol. ii. p. 199.

**** Forbes, vol. ii. p. 161.

The earl of Warwick, eldest son of the late duke of Northumberland, arrived soon after at Havre with another body of three thousand English, and took on him the command of the place.

It was expected that the French Catholics, flushed with their success at Rouen, would immediately have formed the siege of Havre, which was not as yet in any condition of defence; but the intestine disorders of the kingdom soon diverted their attention to another enterprise. Andelot, seconded by the negotiations of Elizabeth, had levied a considerable body of Protestants in Germany; and having arrived at Orleans, the seat of the Hugonots' power, he enabled the prince of Condé and the admiral to take the field, and oppose the progress of their enemies. After threatening Paris during some time, they took their march towards Normandy, with a view of engaging the English to act in conjunction with them, and of fortifying themselves by the further assistance which they expected from the zeal and vigor of Elizabeth.[*] The Catholics, commanded by the constable, and under him by the duke of Guise, followed on their rear; and overtaking them at Dreux, obliged them to give battle. The field was fought with great obstinacy on both sides; and the action was distinguished by this singular event, that Condé and Montmorency, the commanders of the opposite armies, fell both of them prisoners into the hands of their enemies. The appearances of victory remained with Guise, but the admiral, whose fate it ever was to be defeated, and still to rise more terrible after his misfortunes, collected the remains of the army; and inspiring his own unconquerable courage and constancy into every breast, kept them in a body, and subdued some considerable places in Normandy. Elizabeth, the better to support his cause, sent him a new supply of a

hundred thousand crowns; and offered, if he could find merchants to lend him the money, to give her bond for another sum of equal amount.[**]

* Forbes, vol. ii. p. 320. Davila, lib. iii.

** Forbes, vol. ii. p. 322, 347.

1563.

The expenses incurred by assisting the French Hugonots had emptied the queen's exchequer; and in order to obtain supply, she found herself under a necessity of summoning a parliament: an expedient to which she never willingly had recourse. A little before the meeting of this assembly, she had fallen into a dangerous illness, the small-pox; and as her life, during some time, was despaired of, the people became the more sensible of their perilous situation, derived from the uncertainty, which, in case of her demise, attended the succession of the crown. The partisans of the queen of Scots, and those of the house of Suffolk, already divided the nation into factions; and every one foresaw, that, though it might be possible at present to determine the controversy by law, yet, if the throne were vacant, nothing but the sword would be able to fix a successor. The commons, therefore, on the opening of the session, voted an address to the queen; in which, after enumerating the dangers attending a broken and doubtful succession, and mentioning the evils which their fathers had experienced from the contending titles of York and Lancaster, they entreated the queen to put an end to their apprehensions, by choosing some husband, whom they promised, whoever he were, gratefully to receive, and faithfully to serve, honor, and obey: or if she had entertained any reluctance to the married state, they desired that the lawful successor might be named, at least appointed by act of parliament. They remarked, that, during all the reigns which had passed since the conquest, the nation had never before been so unhappy as not to know the person who, in case of the sovereign's death, was legally entitled to fill the vacant throne. And they observed, that the fixed order which took place in inheriting the French monarchy, was one chief source of the usual tranquillity, as well as of the happiness, of that kingdom.[*]

* Sir Simon d'Ewes's Journ. p. 81.

This subject, though extremely interesting to the nation, was very little agreeable to the queen; and she was sensible that great difficulties would attend every decision. A declaration in favor of the queen of Scots would form a settlement perfectly legal; because that princess was commonly allowed to possess the right of blood; and the exclusion given by Henry's will, deriving its weight chiefly from an act of parliament, would lose all authority whenever the queen and parliament had made a new settlement, and restored the Scottish line to its place in the succession. But she dreaded giving encouragement to the Catholics, her secret enemies, by this declaration. She was sensible that every heir was, in some degree, a rival; much more one who enjoyed a claim for the present possession of the crown, and who had already advanced, in a very open manner, these dangerous pretensions. The great power of Mary, both from the favor of the Catholic princes, and her connections with the house of Guise, not to mention the force and situation of Scotland, was well known to her; and she saw no security, that this princess, if fortified by a sure prospect of succession, would not revive claims which she could never yet be prevailed on formally to relinquish. On the other hand, the title of the house of Suffolk was supported by the more zealous Protestants only; and it was very doubtful whether even a parliamentary declaration in its favor would bestow on it such validity as to give satisfaction to the people. The republican part of the constitution had not yet acquired such an ascendant as to control, in any degree, the ideas of hereditary right, and as the legality of

Henry's will was still disputed, though founded on the utmost authority which a parliament could confer, who could be assured that a more recent act would be acknowledged to have greater validity? In the frequent revolutions which had of late taken place, the right of blood had still prevailed over religious prejudices; and the nation had ever shown itself disposed rather to change its faith than the order of succession. Even many Protestants declared themselves in favor of Mary's claim of inheritance;[*] and nothing would occasion more general disgust, than to see the queen, openly and without reserve, take part against it.

* Keith, p. 322.

The Scottish princess also, finding herself injured in so sensible a point, would thenceforth act as a declared enemy; and uniting together her foreign and domestic friends, the partisans of her present title and of her eventual succession, would soon bring matters to extremities against the present establishment. The queen, weighing all these inconveniences, which were great and urgent, was determined to keep both parties in awe, by maintaining still an ambiguous conduct; and she rather chose that the people should run the hazard of contingent events, than that she herself should visibly endanger her throne, by employing expedients, which, at best, would not bestow entire security on the nation. She gave, therefore, an evasive answer to the applications of the commons; and when the house, at the end of the session, desired, by the mouth of their speaker, further satisfaction on that head, she could not be prevailed on to make her reply more explicit. She only told them, contrary to her declarations in the beginning of her reign, that she had fixed no absolute resolution against marriage; and she added, that the difficulties attending the question of the succession were so great that she would be contented, for the sake of her people, to remain some time longer in this vale of misery; and never should depart life with satisfaction, till she had laid some solid foundation for their future security.[*]

The most remarkable law passed this session, was that which bore the title of "Assurance of the queen's royal power over all states and subjects within her dominions."[**] By this act, the asserting twice, by writing, word, or deed, the pope's authority, was subjected to the penalties of treason. All persons in holy orders were bound to take the oath of supremacy; as also all who were advanced to any degree, either in the universities or in common law; all schoolmasters, officers in court, or members of parliament: and the penalty of their second refusal was treason. The first offence, in both cases, was punished by banishment and forfeiture. This rigorous statute was not extended to any of the degree of a baron; because it was not supposed that the queen could entertain any doubt with regard to the fidelity of persons possessed of such high dignity. Lord Montacute made opposition to the bill; and asserted, in favor of the Catholics, that they disputed not, they preached not, they disobeyed not the queen, they caused no trouble, no tumults among the people.[***] It is, however, probable, that some suspicions of their secret conspiracies had made the queen and parliament increase their rigor against them; though it is also more than probable, that they were mistaken in the remedy.

There was likewise another point, in which the parliament, this session, showed more the goodness of their intention than the soundness of their judgment. They passed a law against fond and fantastical prophecies, which had been observed to seduce the people into rebellion and disorder:[****] but at the same time they enacted a statute, which was most likely to increase these and such like superstitions: it was levelled against conjurations, enchantments, and witchcraft.[v]

* Sir Simon D'Ewes's Journal, p. 75.

** 5 Eliz. c. 1.

*** Strype, vol. i. p 260.

**** 5 Eliz. c. I

v 5 Eliz. c. 16.

Witchcraft and heresy are two crimes which commonly increase by punishment, and never are so effectually suppressed as by being totally neglected. After the parliament had granted the queen a supply of one subsidy and two fifteenths, the session was finished by a prorogation. The convocation likewise voted the queen a subsidy of six shillings in the pound, payable in three years.

While the English parties exerted these calm efforts against each other in parliamentary votes and debates, the French factions, inflamed to the highest degree of animosity, continued that cruel war which their intemperate zeal, actuated by the ambition of their leaders, had kindled in the kingdom. The admiral was successful in reducing the towns of Normandy which held for the king; but he frequently complained that the numerous garrison of Havre remained totally inactive, and was not employed in any military operation against the common enemy. The queen, in taking possession of that place, had published a manifesto,[*] in which she pretended that her concern for the interests of the French king had engaged her in that measure, and that her sole intention was to oppose her enemies of the house of Guise, who held their prince in captivity, and employed his power to the destruction of his best and most faithful subjects. It was chiefly her desire to preserve appearances, joined to the great frugality of her temper, which made her at this critical juncture keep her soldiers in garrison, and restrain them from committing further hostilities upon the enemy.[**]

* Forbes, vol. ii.

** Forbes, vol. ii. p. 276, 277.

The duke of Guise, meanwhile, was aiming a mortal blow at the power of the Hugonots; and had commenced the siege of Orleans, of which Andelot was governor, and where the constable was detained prisoner. He had the prospect of speedy success in this undertaking; when he was assassinated by Poltrot, a young gentleman whose zeal, instigated (as is pretended, though without any certain foundation) by the admiral, and Beza, a famous preacher, led him to attempt that criminal enterprise. The death of this gallant prince was a sensible loss to the Catholic party; and though the cardinal of Lorraine, his brother, still supported the interests of the family, the danger of their progress appeared not so imminent either to Elizabeth or to the French Protestants. The union, therefore, between these allies, which had been cemented by their common fears, began thenceforth to be less intimate; and the leaders of the Hugonots were persuaded to hearken to terms of a separate accommodation. Condé and Montmorency held conferences for settling the peace; and as they were both of them impatient to relieve themselves from captivity, they soon came to an agreement with regard to the conditions. The character of the queen regent, whose ends were always violent, but who endeavored by subtlety and policy, rather than force, to attain them, led her to embrace any plausible terms; and in spite of the protestations of the admiral, whose sagacity could easily discover the treachery of the court, the articles of agreement were finally settled between the parties. A toleration under some restrictions was anew granted to the Protestants; a general amnesty was published; Condé was reinstated in his offices and governments; and after money was

advanced for the payment of arrears due to the German troops, they were dismissed the kingdom.

By the agreement between Elizabeth and the prince of Condé, it had been stipulated,[*] that neither party should conclude peace without the consent of the other; but this article was at present but little regarded by the leaders of the French Protestants. They only comprehended her so far in the treaty, as to obtain a promise that, on her relinquishing Havre, her charges, and the money which she had advanced them, should be repaid her by the king of France, and that Calais, on the expiration of the term, should be restored to her. But she disdained to accept of these conditions; and thinking the possession of Havre a much better pledge for effecting her purpose, she sent Warwick orders to prepare himself against an attack from the now united power of the French monarchy.

The earl of Warwick, who commanded a garrison of six thousand men, besides seven hundred pioneers, had no sooner got possession of Havre, than he employed every means for putting it in a posture of defence;[**] and after expelling the French from the town, he encouraged his soldiers to make the most desperate defence against the enemy. The constable commanded the French army; the queen regent herself and the king were present in the camp; even the prince of Condé joined the king's forces, and gave countenance to this enterprise; the admiral and Andelot alone, anxious still to preserve the friendship of Elizabeth, kept at a distance, and prudently refused to join their ancient enemies in an attack upon their allies.

* Forbes, vol. ii. p. 79.

** Forbes, vol. ii. p. 158.

From the force, and dispositions, and situation of both sides it was expected that the siege would be attended with some memorable event; yet did France make a much easier acquisition of this important place than was at first apprehended. The plague crept in among the English soldiers; and being increased by their fatigue and bad diet, (for they were but ill supplied with provisions,[*]) it made such ravages, that sometimes a hundred men a day died of it; and there remained not, at last, fifteen hundred in a condition to do duty.[**] The French, meeting with such feeble resistance, carried on their attacks successfully; and having made two breaches, each of them sixty feet wide, they prepared for a general assault, which must have terminated in the slaughter of the whole garrison.[***] Warwick, who had frequently warned the English council of the danger, and who had loudly demanded a supply of men and provisions, found himself obliged to capitulate, and to content himself with the liberty of withdrawing his garrison. The articles were no sooner signed, than Lord Clinton, the admiral, who had been detained by contrary winds, appeared off the harbor with a reënforcement of three thousand men; and found the place surrendered to the enemy. To increase the misfortune, the infected army brought the plague with them into England, where it swept off great multitudes, particularly in the city of London. Above twenty thousand persons there died of it in one year.[****] 6

* Forbes, vol. ii. p. 377, 498.

** Forbes, vol. ii. p. 450, 458.

*** Forbes, vol. ii. p. 498.

**** See note F, at the end of the volume.

Elizabeth, whose usual vigor and foresight had not appeared in this transaction, was now glad to compound matters; and as the queen regent desired to obtain leisure, in order to prepare measures for the extermination of the Hugonots, she readily hearkened to any reasonable terms of accommodation with England.[*]

* Davila, lib. iii.

1564.

It was agreed, that the hostages which the French had given for the restitution of Calais, should be restored for two hundred and twenty thousand crowns; and that both sides should retain all their claims and pretensions.

The peace still continued with Scotland and even a cordial friendship seemed to have been cemented between Elizabeth and Mary. These princesses made profession of the most entire affection; wrote amicable letters every week to each other; and had adopted, in all appearance, the sentiments as well as style of sisters. Elizabeth punished one Hales, who had published a book against Mary's title;[*] and as the lord keeper Bacon was thought to have encouraged Hales in this undertaking, he fell under her displeasure, and it was with some difficulty he was able to give her satisfaction, and recover her favor.[**] The two queens had agreed in the foregoing summer to an interview at York,[***] in order to remove all difficulties with regard to Mary's ratification of the treaty of Edinburgh, and to consider of the proper method for settling the succession of England; but as Elizabeth carefully avoided touching on this delicate subject, she employed a pretence of the wars in France, which, she said, would detain her in London; and she delayed till next year the intended interview. It is also probable, that being well acquainted with the beauty, and address, and accomplishments of Mary, she did not choose to stand the comparison with regard to those exterior qualities, in which she was eclipsed by her rival; and was unwilling that a princess, who had already made great progress in the esteem and affections of the English, should have a further opportunity of increasing the number of her partisans.

* Keith, p. 252.

** Keith, p. 253.

*** Haynes, p. 388.

Mary's close connections with the house of Guise, and her devoted attachment to her uncles, by whom she had been early educated and constantly protected, was the ground of just and insurmountable jealousy to Elizabeth, who regarded them as her mortal and declared enemies, and was well acquainted with their dangerous character and ambitious projects. They had made offer of their niece to Don Carlos, Philip's son; to the king of Sweden, the king of Navarre, the archduke Charles, the duke of Ferrara, the cardinal of Bourbon, who had only taken deacon's orders, from which he might easily be freed by a dispensation; and they were ready to marry her to any one who could strengthen their interests, or give inquietude and disturbance to Elizabeth.[*]

* Forbes, vol. ii. p. 287. Strype, vol. i. p. 400.

Elizabeth, on her part, was equally vigilant to prevent the execution of their schemes, and was particularly anxious lest Mary should form any powerful foreign alliance, which might tempt her to revive her pretensions to the crown, and to invade the kingdom on the side where it was weakest and lay most exposed.[*] As she believed that the marriage with the archduke Charles

was the one most likely to have place, she used every expedient to prevent it; and besides remonstrating against it to Mary herself, she endeavored to draw off the archduke from that pursuit, by giving him some hopes of success in his pretensions to herself, and by inviting him to a renewal of the former treaty of marriage.[**] She always told the queen of Scots, that nothing would satisfy her but her espousing some English nobleman, who would remove all grounds of jealousy, and cement the union between the kingdoms; and she offered on this condition to have her title examined, and to declare her successor to the crown.[***] After keeping the matter in these general terms during a twelvemonth, she at last named Lord Robert Dudley, now created earl of Leicester, as the person on whom she desired that Mary's choice should fall.

ENLARGE

1-453-mary_stuart.jpg Mary Stuart

The earl of Leicester, the great and powerful favorite of Elizabeth, possessed all those exterior qualities which are naturally alluring to the fair sex; a handsome person, a polite address, an insinuating behavior; and by means of these accomplishments he had been able to blind even the penetration of Elizabeth, and conceal from her the great defects, or rather odious vices, which attended his character. He was proud, insolent, interested, ambitious; without honor, without generosity, without humanity; and atoned not for these bad qualities by such abilities or courage as could fit him for that high trust and confidence with which she always honored him. Her constant and declared attachment to him had naturally emboldened him to aspire to her bed; and in order to make way for these nuptials, he was universally believed to have murdered, in a barbarous manner, his wife, the heiress of one Robesart. The proposal of espousing Mary was by no means agreeable to him; and he always ascribed it to the contrivance of Cecil, his enemy; who, he thought, intended by that artifice to make him lose the friendship of Mary from the temerity of his pretensions, and that of Elizabeth from jealousy of his attachments to another woman.[****]

* Keith, p 247, 284.

** Melvil, p. 41.

*** Keith, p. 213, 249, 259. 265.

**** Camden, p. 396

The queen herself had not any serious intention of effecting this marriage, but as she was desirous that the queen of Scots should never have any husband, she named a man who, she believed, was not likely to be accepted of; and she hoped by that means to gain time, and elude the project of any other alliance. The earl of Leicester was too great a favorite to be parted with; and when Mary, allured by the prospect of being declared successor to the crown, seemed at last to hearken to Elizabeth's proposal, this princess receded from her offers, and withdrew the bait which she had thrown out to her rival.[*] This duplicity of conduct, joined to some appearance of an imperious superiority assumed by her, had drawn a peevish letter from Mary; and the seemingly amicable correspondence between the two queens was, during some time, interrupted. In order to make up the breach, the queen of Scots despatched Sir James Melvil to London; who has given us in his memoirs a particular account of his negotiation.

Melvil was an agreeable courtier, a man of address and conversation; and it was recommended to him by his mistress, that, besides grave reasonings concerning politics and state affairs, he should introduce more entertaining topics of conversation, suitable to the sprightly character of

Elizabeth, and should endeavor by that means to insinuate himself into her confidence. He succeeded so well, that he threw that artful princess entirely off her guard,[**] and made her discover the bottom of her heart, full of all those levities, and follies, and ideas of rivalship which possess the youngest and most frivolous of her sex.

* Keith, p. 269, 270. Appendix, p, 158. Strype, vol. i. p. 414.

** Haynes, p. 447.

He talked to her of his travels, and forgot not to mention the different dresses of the ladies in different countries, and the particular advantages of each in setting off the beauties of the shape and person. The queen said, that she had dresses of all countries; and she took care thenceforth to meet the ambassador every day apparelled in a different habit: sometimes she was dressed in the English garb, sometimes in the French, sometimes in the Italian; and she asked him which of them became her most. He answered, the Italian; a reply that he knew would be agreeable to her, because that mode showed to advantage her flowing locks, which, he remarked, though they were more red than yellow, she fancied to be the finest in the world. She desired to know of him what was reputed the best color of hair: she asked whether his queen or she had the finest hair: she even inquired which of them he esteemed the fairest person; a very delicate question, and which he prudently eluded, by saying that her majesty was the fairest person in England and his mistress in Scotland. She next demanded which of them was tallest: he replied, his queen. "Then is she too tall," said Elizabeth; "for I myself am of a just stature." Having learned from him that his mistress sometimes recreated herself by playing on the harpsichord, an instrument on which she herself excelled, she gave orders to Lord Hunsdon, that he should lead the ambassador, as it were casually, into an apartment where he might hear her perform; and when Melvil, as if ravished with the harmony, broke into the queen's apartment, she pretended to be displeased with his intrusion; but still took care to ask him whether he thought Mary or her the best performer on that instrument.[*] From the whole of her behavior, Melvil thought he might, on his return, assure his mistress, that she had no reason ever to expect any cordial friendship from Elizabeth, and that all her professions of amity were full of falsehood and dissimulation.

* Melvil, p, 49, 50., Keith, p 264.

After two years had been spent in evasions and artifices, Mary's subjects and counsellors, and probably herself, began to think it full time that some marriage were concluded; and Lord Darnley, son of the earl of Lenox, was the person in whom most men's opinions and wishes centred. He was Mary's cousin-german, by the lady Margaret Douglas, niece to Henry VIII., and daughter of the earl of Angus, by Margaret, queen of Scotland. He had been born and educated in England, where the earl of Lenox had constantly resided, since he had been banished by the prevailing power of the house of Hamilton; and as Darnley was now in his twentieth year, and was a very comely person, tall and delicately shaped, it was hoped that he might soon render himself agreeable to the queen of Scots. He was also by his father a branch of the same family with herself; and would, in espousing her, preserve the royal dignity in the house of Stuart: he was, after her, next heir to the crown of England; and those who pretended to exclude her on account of her being a foreigner, had endeavored to recommend his title, and give it the preference. It seemed no inconsiderable advantage, that she could, by marrying him, unite both their claims; and as he was by birth an Englishman, and could not by his power or alliances

give any ground of suspicion to Elizabeth, it was hoped that the proposal of this marriage would not be unacceptable to that jealous princess.

Elizabeth was well informed of these intentions;[*] and was secretly not displeased with the projected marriage between Darnley and the queen of Scots.[**] She would rather have wished that Mary had continued forever in a single life; but finding little probability of rendering this scheme effectual, she was satisfied with a choice which freed her at once from the dread of a foreign alliance, and from the necessity of parting with Leicester, her favorite. In order to pave the way to Darnley's marriage, she secretly desired Mary to invite Lenox into Scotland, to reverse his attainder, and to restore him to his honors and fortune.[***] And when her request was complied with, she took care, in order to preserve the friendship of the Hamiltons and her other partisans in Scotland, to blame openly this conduct of Mary.[****]

* Keith, p. 261.

** Keith, p. 280, 282. Jebb, vol. ii. p. 46.

*** Keith, p. 255, 259, 272.

**** Melvil, p. 42.

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Hearing that the negotiation for Darnley's marriage advanced apace, she gave that nobleman permission, on his first application, to follow his father into Scotland: but no sooner did she learn that the queen of Scots was taken with his figure and person, and that all measures were fixed for espousing him, than she exclaimed against the marriage; sent Throgmorton to order Darnley immediately, upon his allegiance, to return to England; threw the countess of Lenox and her second son into the Tower, where they suffered a rigorous confinement; seized all Lenox's English estate; and, though it was impossible for her to assign one single reason for her displeasure,[*] she menaced, and, protested, and complained, as if she had suffered the most grievous injury in the world.

* Keith, p. 274, 275.

The politics of Elizabeth, though judicious, were usually full of duplicity and artifice; but never more so than in her transactions with the queen of Scots, where there entered so many little passions and narrow jealousies, that she durst not avow to the world the reasons of her conduct, scarcely to her ministers, and scarcely even to herself. But besides a womanish rivalship and envy against the marriage of this princess, she had some motives of interest for feigning a displeasure on the present occasion. It served her as a pretence for refusing to acknowledge Mary's title to the succession of England; a point to which, for good reasons, she was determined never to consent. And it was useful to her for a purpose still more unfriendly and dangerous, for encouraging the discontents and rebellion of the Scottish nobility and ecclesiastics.[*]

Nothing can be more unhappy for a people than to be governed by a sovereign attached to a religion different from the established; and it is scarcely possible that mutual confidence can ever, in such a situation, have place between the prince and his subjects. Mary's conduct had been hitherto in every respect unexceptionable, and even laudable; yet had she not made such progress in acquiring popularity, as might have been expected from her gracious deportment and agreeable accomplishments. Suspicions every moment prevailed on account of her attachment to the Catholic faith, and especially to her uncles, the open and avowed promoters

of the scheme for exterminating the professors of the reformed religion throughout all Europe. She still refused to ratify the acts of parliament which had established the reformation; she made attempts for restoring to the Catholic bishops some part of their civil jurisdiction;[**] and she wrote a letter to the council of Trent, in which, besides professing her attachment to the Catholic faith, she took notice of her title to succeed to the crown of England, and expressed her hopes of being able, in some period, to bring back all her dominions to the bosom of the church.[***] The zealots among the Protestants were not wanting, in their turn, to exercise their insolence against her, which tended still more to alienate her from their faith. A law was enacted, making it capital, on the very first offence, to say mass any where, except in the queen's chapel;[****] and it was with difficulty that even this small indulgence was granted her: the general assembly importuned her anew to change her religion; to renounce the blasphemous idolatry of the mass, with the tyranny of the Roman Antichrist; and to embrace the true religion of Christ Jesus.[v]

* Keith, p. 290.

** Spotswood, p. 198.

*** Father Paul, lib. vii.

**** Keith, p. 268.

v Keith, p, 545. Knox. p. 374.

As she answered in temper, that she was not yet convinced of the falsity of her religion or the impiety of the mass, and that her apostasy would lose her the friendship of her allies on the continent, they replied by assuring her, that their religion was undoubtedly the same which had been revealed by Jesus Christ, which had been preached by the apostles, and which had been embraced by the faithful in the primitive ages; that neither the religion of Turks, Jews, nor Papists was built on so solid a foundation as theirs; that they alone, of all the various species of religionists spread over the face of the earth, were so happy as to be possessed of the truth; that those who hear, or rather who gaze on the mass, allow sacrilege, pronounce blasphemy, and commit most abominable idolatry; and that the friendship of the King of kings was preferable to all the alliances in the world.[*]

The marriage of the queen of Scots had kindled afresh the zeal of the reformers, because the family of Lenox was believed to adhere to the Catholic faith; and though Darnley, who now bore the name of King Henry, went often to the established church, he could not, by this exterior compliance, gain the confidence and regard of the ecclesiastics. They rather laid hold of the opportunity to insult him to his face; and Knox scrupled not to tell him from the pulpit, that God, for punishment of the offences and ingratitude of the people, was wont to commit the rule over them to boys and women.[**] The populace of Edinburgh, instigated by such doctrines, began to meet and to associate themselves against the government.[***] But what threatened more immediate danger to Mary's authority, were the discontents which prevailed among some of the principal nobility.

* Keith, p. 550, 551.

** Keith, p. 546. Knox, p. 381.

*** Knox, p. 377.

The duke of Chatelrault was displeased with the restoration, and still more with the aggrandizement of the family of Lenox, his hereditary enemies; and entertained fears lest his own eventual succession to the crown of Scotland should be excluded by his rival, who had formerly advanced some pretensions to it. The earl of Murray found his credit at court much diminished by the interest of Lenox and his son; and began to apprehend the revocation of some considerable grants which he had obtained from Mary's bounty. The earls of Argyle, Rothes, and Glencairne, the lords Boyde and Ochiltry, Kirkaldy of Grange, Pittarow, were instigated by like motives; and as these were the persons who had most zealously promoted the reformation, they were disgusted to find that the queen's favor was entirely engrossed by a new cabal, the earls of Bothwell, Athole, Sutherland, and Huntley; men who were esteemed either lukewarm in religious controversy, or inclined to the Catholic party. The same ground of discontent which in other courts is the source of intrigue, faction, and opposition, commonly produced in Scotland either projects of assassination or of rebellion; and besides mutual accusations of the former kind, which it is difficult to clear up,[*] 7 the malecontent lords, as soon as they saw the queen's marriage entirely resolved on, entered into a confederacy for taking arms against their sovereign. They met at Stirling; pretended an anxious concern for the security of religion; framed engagements for mutual defence; and made applications to Elizabeth for assistance and protection.[**] That princess, after publishing the expressions of her displeasure against the marriage, had secretly ordered her ambassadors, Randolf and Throgmorton, to give in her name some promises of support to the malecontents; and had even sent them a supply of ten thousand pounds, to enable them to begin an insurrection.[***]
Mary was no sooner informed of the meeting at Stirling, and the movements of the lords, than she summoned them to appear at court, in order to answer for their conduct; and having levied some forces to execute the laws, she obliged the rebels to leave the low countries, and take shelter in Argyleshire. That she might more effectually cut off their resources, she proceeded with the king to Glasgow, and forced them from their retreat. They appeared at Paisley, in the neighborhood, with about a thousand horse, and passing the queen's army, proceeded to Hamilton, thence to Edinburgh, which they entered without resistance. They expected great reënforcements in this place, from the efforts of Knox and the seditious preachers; and they beat their drums, desiring all men to enlist, and receive wages for the defence of God's glory.[****]

* See note G, at the end of the volume.

** Keith, p. 293, 294, 300, 301.

*** Knox, p. 380. Keith, Append, p. 164. Anderson, vol. iii. p. 194.

**** Knox, p. 381.

But the nation was in no disposition for rebellion: Mary was esteemed and beloved: her marriage was not generally disagreeable to the people: and the interested views of the malecontent lords were so well known, that their pretence of zeal for religion had little influence even on the ignorant populace.[*] The king and queen advanced to Edinburgh at the head of their army: the rebels were obliged to retire into the south; and being pursued by a force which now amounted to eighteen thousand men,[**] they found themselves under a necessity of abandoning their country, and of taking shelter in England.
Elizabeth, when she found the event so much to disappoint her expectations, thought proper to disavow all connections with the Scottish malecontents, and to declare every where, that she

had never given them any encouragement, nor any promise of countenance or assistance. She even carried further her dissimulation and hypocrisy. Murray had come to London, with the abbot of Kilwinning, agent for Chatelrault; and she seduced them, by secret assurances of protection, to declare before the ambassadors of France and Spain that she had nowise contributed to their insurrection. No sooner had she extorted this confession from them, than she chased them from her presence, called them unworthy traitors, declared that their detestable rebellion was of bad example to all princes; and assured them, that as she had hitherto given them no encouragement, so should they never thenceforth receive from her any assistance or protection.[***] Throgmorton alone, whose honor was equal to his abilities, could not be prevailed on to conceal the part which he had acted in the enterprise of the Scottish rebels; and being well apprised of the usual character and conduct of Elizabeth, he had had the precaution to obtain an order of council to authorize the engagements which he had been obliged to make with them.[****]

* Knox, p. 380, 385.

** Knox, p. 388.

*** Melvil, p. 57. Knox, p. 388. Keith, p. 319. Crawford, p, 62, 63.

**** Melvil, p. 60.

The banished lords, finding themselves so harshly treated by Elizabeth, had recourse to the clemency of their own sovereign; and after some solicitation and some professions of sincere repentance, the duke of Chatelrault obtained his pardon, on condition that he should retire into France. Mary was more implacable against the ungrateful earl of Murray and the other confederates, on whom she threw the chief blame of the enterprise; but as she was continually plied with applications from their friends, and as some of her most judicious partisans in England thought, that nothing would more promote her interests in that kingdom, than the gentle treatment of men so celebrated for their zeal against the Catholic religion, she agreed to give way to her natural temper, which inclined not to severity, and she seemed determined to restore them to favor.[*] In this interval, Rambouillet arrived as ambassador from France, and brought her advice from her uncle, the cardinal of Lorraine, to whose opinion she always paid an extreme deference, by no means to pardon these Protestant leaders, who had been engaged in a rebellion against her.[**]

The two religions, in France, as well as in other parts of Europe, were rather irritated than tired with their acts of mutual violence; and the peace granted to the Hugonots, as had been foreseen by Coligny, was intended only to lull them asleep and prepare the way for their final and absolute destruction. The queen regent made a pretence of travelling through the kingdom, in order to visit the provinces, and correct all the abuses arising from the late civil war; and after having held some conferences on the frontiers with the duke of Lorraine and the duke of Savoy, she came to Bayonne, where she was met by her daughter, the queen of Spain, and the duke of Alva. Nothing appeared in the congress of these two splendid courts, but gayety, festivity, love, and joy; but amidst these smiling appearances were secretly fabricated schemes the most bloody, and the most destructive to the repose of mankind, that had ever been thought of in any age or nation. No less than a total and universal extermination of the Protestants by fire and sword was concerted by Philip and Catharine of Medicis; and Alva, agreeably to his fierce and sanguinary disposition, advised the queen regent to commence the execution of this project, by the immediate massacre of all the leaders of the Hugonots.[***]

* Melvil, p. 59, 60, 61, 62, 63. Keith, p. 322.

** Keith p. 325. Melvil, p. 63.

*** Davila, lib iii.

But that princess, though equally hardened against every humane sentiment, would not forego this opportunity of displaying her wit and refined politics; and she purposed rather by treachery and dissimulation, which she called address, to lead the Protestants into the snare, and never to draw the sword till they were totally disabled from resistance. The cardinal of Lorraine, whose character bore a greater affinity to that of Alva, was a chief author of this barbarous association against the reformers; and having connected his hopes of success with the aggrandizement of his niece, the queen of Scots, he took care that her measures should correspond to those violent counsels which were embraced by the other Catholic princes. In consequence of this scheme, he turned her from the road of clemency, which she intended to have followed, and made her resolve on the total ruin of the banished lords.[*]

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A parliament was summoned at Edinburgh for attainting them; and as their guilt was palpable and avowed, no doubt was entertained but sentence would be pronounced against them. It was by a sudden and violent incident, which, in the issue, brought on the ruin of Mary herself, that they were saved from the rigor of the law.

The marriage of the queen of Scots with Lord Darnley was so natural, and so inviting in all its circumstances, that it had been precipitately agreed to by that princess and her council; and while she was allured by his youth, and beauty, and exterior accomplishments, she had at first overlooked the qualities of his mind, which nowise corresponded to the excellence of his outward figure. Violent, yet variable in his resolutions; insolent, yet credulous and easily governed by flatterers; he was destitute of all gratitude, because he thought no favors equal to his merit; and being addicted to low pleasures, he was equally incapable of all true sentiments of love and tenderness.[*] The queen of Scots, in the first effusions of her fondness, had taken a pleasure in exalting him beyond measure; she had granted him the title of king; she had joined his name with her own in all public acts; she intended to have procured him from the parliament a matrimonial crown; but having leisure afterwards to remark his weakness and vices, she began to see the danger of her profuse liberality, and was resolved thenceforth to proceed with more reserve in the trust which she should confer upon him. His resentment against this prudent conduct served but the more to increase her disgust: and the young prince, enraged at her imagined neglects, pointed his vengeance against every one whom he deemed the cause of this change in her measures and behavior.

* Melvil, p. 63. Keith's Append. p. 176.

There was in the court one David Rizzio, who had of late obtained a very extraordinary degree of confidence and favor with the queen of Scots. He was a Piedmontese, of mean birth, son of a teacher of music, himself a musician; and finding it difficult to subsist by his art in his own country, he had followed into Scotland an ambassador, whom the duke of Savoy sent thither to pay his compliments to Mary, some time after her first arrival. He possessed a good ear, and a tolerable voice; and as that princess found him useful to complete her band of music, she retained him in her service after the departure of his master. Her secretary for French despatches having some time after incurred her displeasure, she promoted Rizzio to that office, which gave him frequent opportunities of approaching her person, and insinuating himself into

her favor. He was shrewd and sensible, as well as aspiring, much beyond his rank and education; and he made so good use of the access which fortune had procured him, that he was soon regarded as the chief confidant, and even minister of the queen. He was consulted on all occasions; no favors could be obtained but by his intercession; all suitors were obliged to gain him by presents and flattery; and the man, insolent from his new exaltation, as well as rapacious in his acquisitions, soon drew on himself the hatred of the nobility and of the whole kingdom.[*] He had at first employed his credit to promote Darnley's marriage; and a firm friendship seemed to be established between them; but on the subsequent change of the queen's sentiments, it was easy for Henry's friends to persuade him that Rizzio was the real author of her indifference, and even to rouse in his mind jealousies of a more dangerous nature. The favorite was of a disagreeable figure, but was not past his youth;[**] 8 and though the opinion of his criminal correspondence with Mary might seem of itself unreasonable, if not absurd, a suspicious husband could find no other means of accounting for that lavish and imprudent kindness with which she honored him.

* Keith, p. 282, 302, Crawford's Memoirs, p. 5. Spotswood, p. 193.

** See note H, at the end of the volume.

The rigid austerity of the ecclesiastics, who could admit of no freedoms, contributed to spread this opinion among the people; and as Rizzio was universally believed to be a pensionary of the pope's, and to be deeply engaged in all schemes against the Protestants, any story to his and Mary's disadvantage received an easy credit among the zealots of that communion. Rizzio, who had connected his interests with the Roman Catholics, was the declared enemy of the banished lords; and by promoting the violent prosecutions against them, he had exposed himself to the animosity of their numerous friends and retainers. A scheme was also thought to be formed for revoking some exorbitant grants made during the queen's minority, and even the nobility, who had seized the ecclesiastical benefices, began to think themselves less secure in the possession of them.[*] The earl of Morton, chancellor, was affected by all these considerations, and still more by a rumor spread abroad, that Mary intended to appoint Rizzio chancellor in his place, and to bestow that dignity on a mean and upstart foreigner, ignorant of the laws and language of the country.[**] So indiscreet had this princess been in her kindness to Rizzio, that even that strange report met with credit, and proved a great means of accelerating the ruin of the favorite. Morton, insinuating himself into Henry's confidence, employed all his art to inflame the discontent and jealousy of that prince; and he persuaded him, that the only means of freeing himself from the indignities under which he labored, was to bring the base stranger to the fate which he had so well merited, and which was so passionately desired by the whole nation. George Douglas, natural brother to the countess of Lenox, concurred in the same advice; and the Lords Ruthven and Lindesey, being consulted, offered their assistance in the enterprise; nor was even the earl of Lenox, the king's father, averse to the design.[***] But as these conspirators were well acquainted with Henry's levity, they engaged him to sign a paper, in which he avowed the undertaking, as tending to the glory of God and advancement of religion, and promised to protect them against every consequence which might ensue upon the assassination of Rizzio.[****] All these measures being concerted, a messenger was despatched to the banished lords, who were hovering near the borders; and they were invited by the king to return to their native country.

* Keith, p. 326. Melvil, p. 64.

** Buchanan, lib. xvii. c. 60. Crawford, p. 6. Spotswood, p.

194. Knox, p. 393. Jebb, vol. i. p. 456.

*** Crawford, p. 7.

**** Goodall, vol. i. p. 266. Crawford, p. 7.

This design, so atrocious in itself, was rendered still more so by the circumstances which attended its execution. Mary, who was in the sixth month of her pregnancy, was supping in private, and had at table the countess of Argyle, her natural sister, with Rizzio, and others of her servants. The king entered the room by a private passage, and stood at the back of Mary's chair: Lord Ruthven, George Douglas, and other conspirators, being all armed, rushed in after him; and the queen of Scots, terrified with the appearance, demanded of them the reason of this rude intrusion. They told her, that they intended no violence against her person; but meant only to bring that villain, pointing to Rizzio, to his deserved punishment. Rizzio, aware of the danger, ran behind his mistress, and seizing her by the waist, called aloud to her for protection; while she interposed in his behalf, with cries, and menaces, and entreaties. The impatient assassins, regardless of her efforts, rushed upon their prey, and by overturning every thing which stood in their way, increased the horror and confusion of the scene. Douglas, seizing Henry's dagger, stuck it in the body of Rizzio, who, screaming with fear and agony, was torn from Mary by the other conspirators, and pushed into the ante-chamber, where he was despatched with fifty-six wounds.[*]

* Melvil, p. 64. Keith, p. 330, 331. Crawford, p. 9.

The unhappy princess, informed of his fate, immediately dried her tears, and said, she would weep no more; she would now think of revenge. The insult, indeed, upon her person; the stain attempted to be fixed on her honor; the danger to which her life was exposed, on account of her pregnancy; were injuries so atrocious and so complicated, that they scarcely left room for pardon, even from the greatest lenity and mercy.

The assassins, apprehensive of Mary's resentment, detained her prisoner in the palace; and the king dismissed all who seemed willing to attempt her rescue, by telling them, that nothing was done without his orders, and that he would be careful of the queen's safety. Murray and the banished lords appeared two days after; and Mary, whose anger was now engrossed by injuries more recent and violent, was willingly reconciled to them; and she even received her brother with tenderness and affection. They obtained an acquittal from parliament, and were reinstated in their honors and fortunes. The accomplices also in Rizzio's murder applied to her for a pardon; but she artfully delayed compliance, and persuaded them, that so long as she was detained in custody, and was surrounded by guards, any deed which she should sign would have no validity. Meanwhile she had gained the confidence of her husband by her persuasion and caresses and no sooner were the guards withdrawn, than she engaged him to escape with her in the night-time, and take shelter in Dunbar. Many of her subjects here offered her their services; and Mary, having collected an army, which the conspirators had no power to resist, advanced to Edinburgh, and obliged them to fly into England, where they lived in great poverty and distress. They made applications, however, to the earl of Bothwell, a new favorite of Mary's; and that nobleman, desirous of strengthening his party by the accession of their interest, was able to pacify her resentment; and he soon after procured them liberty to return into their own country.[*]

The vengeance of the queen of Scots was implacable against her husband alone, whose person was before disagreeable to her, and who, by his violation of every tie of gratitude and duty, had

now drawn on him her highest resentment. She engaged him to disown all connections with the assassins, to deny any concurrence in their crime, even to publish a proclamation containing a falsehood so notorious to the whole world;[**] and having thus made him expose himself to universal contempt, and rendered it impracticable for him ever to acquire the confidence of any party, she threw him off with disdain and indignation.[***]

* Melvil, p. 75, 76. Keith, p. 334. Knox, p, 398.

** Goodall, vol. i. p. 280. Keith, Append. p. 167.

*** Melvil, p. 66, 67.

As if she had been making an escape from him, she suddenly withdrew to Allca, a seat of the earl of Marre's; and when Henry followed her thither, she suddenly returned to Edinburgh and give him every where the strongest proofs of displeasure, and even of antipathy. She encouraged her courtiers in their neglect of him; and she was pleased that his mean equipage and small train of attendants should draw on him the contempt of the very populace. He was permitted, however, to have apartments in the Castle of Edinburgh, which Mary had chosen for the place of her delivery. She there brought forth a son; and as this was very important news to England, as well as to Scotland, she immediately despatched Sir James Melvil to carry intelligence of the happy event to Elizabeth. Melvil tells us, that this princess, the evening of his arrival in London, had given a ball to her court at Greenwich, and was displaying all that spirit and alacrity which usually attended her on these occasions: but when news arrived of the prince of Scotland's birth, all her joy was damped: she sunk into melancholy; she reclined her head upon her arm; and complained to some of her attendants, that the queen of Scots was mother of a fair son, while she herself was but a barren stock. Next day, however, at the reception of the ambassador, she resumed her former dissimulation, put on a joyful countenance, gave Melvil thanks for the haste he had made in conveying to her the agreeable intelligence, and expressed the utmost cordiality and friendship to her sister.[*] Some time after, she despatched the earl of Bedford, with her kinsman George Gary, son of Lord Hunsdon, in order to officiate at the baptism of the young prince; and she sent by them some magnificent presents to the queen of Scots.

The birth of a son gave additional zeal to Mary's partisans in England;[**] and even men of the most opposite parties began to cry aloud for some settlement of the succession. These humors broke out with great vehemence in a new session of parliament, held after six prorogations. The house of peers, which had hitherto forborne to touch on this delicate point, here took the lead; and the house of commons soon after imitated the zeal of the lords. Molineux opened the matter in the lower house, and proposed, that the question of the succession and that of supply should go hand in hand; as if it were intended to constrain the queen to a compliance with the request of her parliament.[***] The courtiers endeavored to elude the debate: Sir Ralph Sadler told the house, that he had heard the queen positively affirm, that for the good of her people she was determined to marry. Secretary Cecil and Sir Francis Knollys gave their testimony to the same purpose; as did also Sir Ambrose Cave, chancellor of the duchy, and Sir Edward Rogers, comptroller of the household.[****]

* Melvil, p. 69, 70.

** Camden, p. 397.

*** D'Ewes, p. 129.

**** D'Ewes, p. 124.

Elizabeth's ambitious and masculine character was so well known, that few members gave any credit to this intelligence; and it was considered merely as an artifice, by which she endeavored to retract that positive declaration which she had made in the beginning of her reign, that she meant to live and die a virgin. The ministers, therefore, gained nothing further by this piece of policy, than only to engage the house, for the sake of decency, to join the question of the queen's marriage with that of a settlement of the crown; and the commons were proceeding with great earnestness in the debate, and had even appointed a committee to confer with the lords, when express orders were brought them from Elizabeth not to proceed further in the matter. Cecil told them, that she pledged to the house the word of a queen for her sincerity in her intentions to marry; that the appointment of a successor would be attended with great danger to her person; that she herself had had experience, during the reign of her sister, how much court was usually paid to the next heir, and what dangerous sacrifices men were commonly disposed to make of their present duty to their future prospects; and that she was therefore determined to delay, till a more proper opportunity, the decision of that important question.[*] The house was not satisfied with these reasons, and still less with the command prohibiting them all debate on the subject. Paul Wentworth, a spirited member, went so far as to question whether such a prohibition were not an infringement of the liberties and privileges of the house.[**] Some even ventured to violate that profound respect which had hitherto been preserved to the queen; and they affirmed, that she was bound in duty, not only to provide for the happiness of her subjects during her own life, but also to pay regard to their future security, by fixing a successor; that by an opposite conduct she showed herself the step-mother, not the natural parent of her people, and would seem desirous that England should no longer subsist than she should enjoy the glory and satisfaction of governing it; that none but timorous princes, or tyrants, or faint-hearted women, ever stood in fear of their successors; and that the affections of the people were a firm and impregnable rampart to every sovereign, who, laying aside all artifice or by-ends, had courage and magnanimity to put his sole trust in that honorable and sure defence.[***] The queen, hearing of these debates, sent for the speaker; and after reiterating her former prohibition, she bade him inform the house, that if any member remained still unsatisfied, he might appear before the privy council, and there give his reasons.[****]

* D'Ewes, p. 127, 128.

** D'Ewes, p. 128.

*** Camden, p. 400.

**** D'Ewes, p. 128.

As the members showed a disposition, notwithstanding these peremptory orders, still to proceed upon the question, Elizabeth thought proper, by a message, to revoke them, and to allow the house liberty of debate.[*] They were so mollified by this gracious condescension, that they thenceforth conducted the matter with more calmness and temper, and they even voted her a supply, to be levied at three payments, of a subsidy and a fifteenth, without annexing any condition to it.

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The queen soon after dissolved the parliament, and told them, with some sharpness in the conclusion, that their proceedings had contained much dissimulation and artifice; that, under the plausible pretences of marriage and succession, many of them covered very malevolent intentions towards her; but that, however, she reaped this advantage from the attempts of these men, that she could now distinguish her friends from her enemies. "But do you think," added she, "that I am unmindful of your future security, or will be negligent in settling the succession? That is the chief object of my concern; as I know myself to be liable to mortality. Or do you apprehend that I meant to encroach on your liberties? No: it was never my meaning; I only intended to stop you before you approached the precipice. All things have their time; and though you maybe blessed with a sovereign more wise or more learned than I, yet I assure you that no one will ever rule over you who shall be more careful of your safety. And therefore, henceforward, whether I live to see the like assembly or no, or whoever holds the reins of government, let me warn you to beware of provoking your sovereign's patience, so far as you have done mine. But I shall now conclude, that, notwithstanding the disgusts I have received, (for I mean not to part with you in anger), the greater part of you may assure themselves that they go home in their prince's good graces."[**]

Elizabeth carried further her dignity on this occasion. She had received the subsidy without any condition; but as it was believed that the commons had given her that gratuity with a view of engaging her to yield to their requests, she thought proper, on her refusal, voluntarily to remit the third payment; and she said, that money in her subjects' purses was as good to her as in her own exchequer.[***]

* D'Ewes, p. 130.

** D'Ewes, p. 116, 117.

*** J Camden, p. 400.

But though the queen was able to elude, for the present, the applications of parliament, the friends of the queen of Scots multiplied every day in England; and besides the Catholics, many of whom kept a treasonable correspondence with her, and were ready to rise at her command,[*] the court itself of Elizabeth was full of her avowed partisans. The duke of Norfolk, the earls of Leicester, Pembroke, Bedford, Northumberland, Sir Nicholas Throgmorton, and most of the considerable men in England, except Cecil, seemed convinced of the necessity of declaring her the successor. None but the more zealous Protestants adhered either to the countess of Hertford, or to her aunt, Eleanor, countess of Cumberland; and as the marriage of the former seemed liable to some objections, and had been declared invalid, men were alarmed, even on that side, with the prospect of new disputes concerning the succession. Mary's behavior, also, so moderate towards the Protestants, and so gracious towards all men, had procured her universal respect;[**] and the public was willing to ascribe any imprudences into which she had fallen to her youth and inexperience. But all these flattering prospects were blasted by the subsequent incidents; where her egregious indiscretions, shall I say, or atrocious crimes, threw her from the height of her prosperity and involved her in infamy and in ruin.

The earl of Bothwell was of a considerable family and power in Scotland; and though not distinguished by any talents either of a civil or military nature, he had made a figure in that party which opposed the greatness of the earl of Murray and the more rigid reformers. He was a man of profligate manners; had involved his opulent fortune in great debts, and even reduced himself to beggary by his profuse expenses;[***] and seemed to have no resource but in desperate counsels and enterprises.

* Haynes, p. 446, 448.

** Melvil, p. 53, 61, 74.

*** Keith, p. 240.

He had been accused more than once of an attempt to assassinate Murray; and though the frequency of these accusations on all sides diminish somewhat the credit due to any particular imputation, they prove sufficiently the prevalence of that detestable practice in Scotland, and may in that view serve to render such rumors the more credible. This man had of late acquired the favor and entire confidence of Mary; and all her measures were directed by his advice and authority. Reports were spread of more particular intimacies between them; and these reports gained ground from the continuance, or rather increase, of her hatred towards her husband.[*] That young prince was reduced to such a state of desperation by the neglects which he underwent from his queen and the courtiers, that he had once resolved to fly secretly into France or Spain, and had even provided a vessel for that purpose.[**] Some of the most considerable nobility, on the other hand, observing her rooted aversion to him, had proposed some expedients for a divorce, and though Mary is said to have spoken honorably on the occasion, and to have embraced the proposal no further than it should be found consistent with her own honor and her son's legitimacy,[***] men were inclined to believe, that the difficulty of finding proper means for effecting that purpose, was the real cause of laying aside all further thoughts of it. So far were the suspicions against her carried, that when Henry, discouraged with the continual proofs of her hatred, left the court and retired to Glasgow, an illness of an extraordinary nature, with which he was seized immediately on his arrival in that place, was universally ascribed by her enemies to a dose of poison, which, it was pretended, she had administered to him.

* Melvil, p. 66, 77.

** Keith, p. 345-348.

*** Camden, p. 404. Goodall's Queen Mary, vol. ii. p. 317.

While affairs were in this situation, all those who wished well to her character, or to public tranquillity, were extremely pleased, and somewhat surprised, to hear that a friendship was again conciliated between them, that she had taken a journey to Glasgow on purpose to visit him during his sickness, that she behaved towards him with great tenderness, that she had brought him along with her, and that she appeared thenceforth determined to live with him on a footing more suitable to the connections between them. Henry, naturally uxorious, and not distrusting this sudden reconciliation, put himself implicitly into her hands, and attended her to Edinburgh. She lived in the palace of Holyrood House; but as the situation of the palace was low, and the concourse of people about the court was necessarily attended with noise, which might disturb him in his present infirm state of health, these reasons were assigned for fitting up an apartment for him in a solitary house at some distance, called the Kirk of Field. Mary here gave him marks of kindness and attachment; she conversed cordially with him; and she lay some nights in a room below his; but on the ninth of February, she told him that she would pass that night in the palace, because the marriage of one of her servants was there to be celebrated in her presence. About two o'clock in the morning, the whole town was much alarmed at hearing a great noise; and was still more astonished, when it was discovered that

the noise came from the king's house, which was blown up by gunpowder; that his dead body was found at some distance in a neighboring field; and that no marks, either of fire, contusion, or violence appeared upon it.[*]

No doubt could be entertained but Henry was murdered; and general conjecture soon pointed towards the earl of Bothwell as the author of the crime.[**] But as his favor with Mary was visible, and his power great, no one ventured to declare openly his sentiments; and all men remained in silence and mute astonishment. Voices, however, were heard in the streets, during the darkness of the night, proclaiming Bothwell, and even Mary herself, to be murderers of the king; bills were secretly affixed on the walls to the same purpose; offers were made, that, upon giving proper securities, his guilt should be openly proved; but after one proclamation from the court, offering a reward and indemnity to any one that would discover the author of that villany, greater vigilance was employed in searching out the spreaders of the libels and reports against Bothwell and the queen, than in tracing the contrivers of the king's assassination, or detecting the regicides.[***]

The earl of Lenox, who lived at a distance from court in poverty and contempt, was roused by the report of his son's murder, and wrote to the queen, imploring speedy justice against the assassins; among whom he named the earl of Bothwell, Sir James Balfour, and Gilbert Balfour his brother, David Chalmers, and four others of the queen's household; all of them persons who had been mentioned in the bills affixed to the walls at Edinburgh.[****]

* It was imagined that Henry had been strangled before the house was blown up. But this supposition is contradicted by the confession of the criminals; and there is no necessity to admit it in order to account for the condition of his body. There are many instances that men's lives have been saved who had been blown up in ships. Had Henry fallen on water, he had not probably been killed.

** Melvil, p. 78. Cabbala, p. 136.

*** Anderson's Collections, vol. ii. p. 38; vol. iv. p. 167, 168. Spotswood, p. 200. Keith, p. 374.

**** Keith, p. 372. Anderson, vol. ii. p. 3.

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1-467-mary_stuart.jpg Mary Stuart

Mary took his demand of speedy justice in a very literal sense, and allowing only fifteen days for the examination of this important affair, she sent a citation to Lenox, requiring him to appear in court, and prove his charge against Bothwell.[*] This nobleman, meanwhile, and all the other persons accused by Lenox, enjoyed their full liberty;[**] Bothwell himself was continually surrounded with armed men; [***] took his place in council;[****] lived during some time in the house with Mary;[v] and seemed to possess all his wonted confidence and familiarity with her. Even the Castle of Edinburgh, a place of great consequence in this critical time, was intrusted to him, and under him, to his creature, Sir James Balfour, who had himself been publicly charged as an accomplice in the king's murder.[v*] Lenox, who had come as far as Stirling with a view of appearing at the trial, was informed of all these circumstances; and reflecting on the small train which attended him, he began to entertain very just apprehensions from the power, insolence, and temerity of his enemy. He wrote to Mary, desiring that the day

of trial might be prorogued; and conjured her, by all the regard which she bore to her own honor, to employ more leisure and deliberation in determining a question of such extreme moment.[v**] No regard was paid to his application: the jury was enclosed, of which the earl of Caithness was chancellor; and though Lenox, foreseeing this precipitation, had ordered Cunningham, one of his retinue, to appear in court, and protest in his name against the acquittal of the criminal, the jury proceeded to a verdict.[v***] The verdict was such as it behoved them to give, where neither accuser nor witness appeared; and Bothwell was absolved from the king's murder. The jury, however, apprehensive that their verdict would give great scandal, and perhaps expose them afterwards to some danger, entered a protest, in which they represented the necessity of their proceedings.[v****]

* Keith, p. 373.

** Keith, p. 374, 375.

*** Keith, p. 405.

**** Anderson, vol. i. p. 38, 40, 50, 52.

v Anderson, vol. ii. p. 274.

v* Spotswood, p. 201.

v** Keith, p. 375. Anderson, vol. i. p. 52.

v*** Keith, p. 376. Anderson, vol. ii. p. 106. Spotswood, p. 201.

v**** Spotswood, p. 201. Anderson, vol. i p. 113.

It is remarkable, that the indictment was laid against Bothwell for committing the crime on the ninth of February, not the tenth, the real day on which Henry was assassinated.[*] The interpretation generally put upon this error, too gross, it was thought, to have proceeded from mistake, was, that the secret council by whom Mary was governed, not trusting entirely to precipitation, violence, and authority, had provided this plea, by which they insured, at all adventures, a plausible pretence for acquitting Bothwell.

Two days after this extraordinary transaction, a parliament was held; and though the verdict in favor of Bothwell was attended with such circumstances as strongly confirmed, rather than diminished, the general opinion of his guilt, he was the person chosen to carry the royal sceptre on the first meeting of that national assembly.[**] In this parliament a rigorous act was made against those who set up defamatory bills; but no notice was taken of the king's murder.[***] The favor which Mary openly bore to Bothwell kept every one in awe; and the effects of this terror appeared more plainly in another transaction, which ensued immediately upon the dissolution of the parliament. A bond or association was framed; in which the subscribers, after relating the acquittal of Bothwell by a legal trial, and mentioning a further offer which he had made, to prove his innocence by single combat, oblige themselves, in case any person should afterwards impute to him the king's murder, to defend him with their whole power against such calumniators. After this promise, which implied no great assurance in Bothwell of his own innocence, the subscribers mentioned the necessity of their queen's marriage, in order to support the government; and they recommended Bothwell to her as a husband.[****] This

paper was subscribed by all the considerable nobility there present. In a country divided by violent factions, such a concurrence in favor of one nobleman, nowise distinguished above the rest, except by his flagitious conduct, could never have been obtained, had not every one been certain, at least firmly persuaded, that Mary was fully determined on this measure.[v] 9 Nor would such a motive have sufficed to influence men, commonly so stubborn and untractable, had they not been taken by surprise, been ignorant of each other's sentiments, and overawed by the present power of the court, and by the apprehensions of further violence from persons so little governed by any principles of honor and humanity. Even with all these circumstances, the subscription to this paper may justly be regarded as a reproach to the nation.

* Keith, p. 375. Anderson, vol. ii. p. 93. Spotswood, p. 201.

** Keith, p. 78. Crawford, p. 14.

*** Keith, p. 389.

**** Keith, p. 381.

v See note I, at the end of the volume.

The subsequent measures of Bothwell were equally precipitate and audacious. Mary having gone to Stirling to pay a visit to her son, he assembled a body of eight hundred horse, on pretence of pursuing some robbers on the borders; and having waylaid her on her return, he seized her person near Edinburgh, and carried her to Dunbar, with an avowed design of forcing her to yield to his purpose. Sir James Melvil, one of her retinue, was carried along with her, and says not that he saw any signs of reluctance or constraint; he was even informed, as he tells us, by Bothwell's officers, that the whole transaction was managed in concert with her.[*] A woman, indeed, of that spirit and resolution which is acknowledged to belong to Mary, does not usually, on these occasions, give such marks of opposition to real violence as can appear any wise doubtful or ambiguous. Some of the nobility, however, in order to put matters to further trial, sent her a private message, in which they told her, that if in reality she lay under force, they would use all their efforts to rescue her. Her answer was, that she had indeed been carried to Dunbar by violence, but ever since her arrival had been so well treated that she willingly remained with Bothwell.[**] No one gave himself thenceforth any concern to relieve her from a captivity which was believed to proceed entirely from her own approbation and connivance.

This unusual conduct was at first ascribed to Mary's sense of the infamy attending her purposed marriage, and her desire of finding some color to gloss over the irregularity of her conduct. But a pardon, given to Bothwell a few days after, made the public carry their conjectures somewhat further. In this deed, Bothwell received a pardon for the violence committed on the queen's person, and for "all other crimes;" a clause by which the murder of the king was indirectly forgiven. The rape was then conjectured to have been only a contrivance, in order to afford a pretence for indirectly remitting a crime, of which it would have appeared scandalous to make openly any mention.[***]

* Melvil, p. 80.

** Spotswood, p. 202.

*** Anderson, vol. iv. part ii. p. 61.

These events passed with such rapidity, that men had no leisure to admire sufficiently one incident, when they were surprised with a new one equally rare and uncommon. There still, however, remained one difficulty which it was not easy to foresee how the queen and Bothwell, determined as they were to execute their shameful purpose, could find expedients to overcome. The man who had procured the subscription of the nobility, recommending him as a husband to the queen, and who had acted this seeming violence on her person, in order to force her consent, had been married two years before to another woman; to a woman of merit, of a noble family, sister to the earl of Huntley. But persons blinded by passion, and infatuated with crime, soon shake off all appearance of decency. A suit was commenced for a divorce between Bothwell and his wife; and this suit was opened at the same instant in two different, or rather opposite courts; in the court of the archbishop of St. Andrew's, which was Popish, and governed itself by the canon law; and in the new consistorial or commissariot court, which was Protestant, and was regulated by the principles of the reformed teachers. The plea advanced in each court was so calculated as to suit the principles which there prevailed; in the archbishop's court, the pretence of consanguinity was employed, because Bothwell was related to his wife in the fourth degree; in the commissariot court, the accusation of adultery was made use of against him. The parties, too, who applied for the divorce, were different in the different courts: Bothwell was the person who sued in the former; his wife in the latter. And the suit in both courts was opened, pleaded, examined, and decided, with the utmost precipitation; and a sentence of divorce was pronounced in four days.[*]

* Anderson, vol. ii. p. 280.

The divorce being thus obtained, it was thought proper that Mary should be conducted to Edinburgh, and should there appear before the courts of judicature, and should acknowledge herself restored to entire freedom. This was understood to be contrived in a view of obviating all doubts with regard to the validity of her marriage. Orders were then given to publish in the church the banns between the queen and the duke of Orkney; for that was the title which he now bore; and Craig, a minister of Edinburgh, was applied to for that purpose. This clergyman, not content with having refused compliance, publicly in his sermons condemned the marriage, and exhorted all who had access to the queen, to give her their advice against so scandalous an alliance. Being called before the council to answer for this liberty, he showed a courage which might cover all the nobles with shame, on account of their tameness and servility. He said that, by the rules of the church, the earl of Bothwell, being convicted of adultery, could not be permitted to marry; that the divorce between him and his former wife was plainly procured by collusion, as appeared by the precipitation of the sentence, and the sudden conclusion of his marriage with the queen; and that all the suspicions which prevailed with regard to the king's murder, and the queen's concurrence in the former rape, would thence receive undoubted confirmation. He therefore exhorted Bothwell, who was present, no longer to persevere in his present criminal enterprises; and turning his discourse to the other counsellors, he charged them to employ all their influence with the queen, in order to divert her from a measure which would load her with eternal infamy and dishonor. Not satisfied even with this admonition, he took the first opportunity of informing the public, from the pulpit, of the whole transaction; and expressed to them his fears that, notwithstanding all remonstrances, their sovereign was still obstinately bent on her fatal purpose. "For himself," he said, "he had already discharged his conscience; and yet again would take heaven and earth to witness that he abhorred and detested that marriage as scandalous and hateful in the sight of mankind; but since the great,

as he perceived, either by their flattery or silence, gave countenance to the measure, he besought the faithful to pray fervently to the Almighty that a resolution, taken contrary to all law, reason, and good conscience, might, by the divine blessing, be turned to the comfort and benefit of the church and kingdom." These speeches offended the court extremely; and Craig was anew summoned before the council, to answer for his temerity in thus passing the bounds of his commission. But he told them, that the bounds of his commission were the word of God, good laws, and natural reason; and were the Queen's marriage tried by any of these standards, it would appear infamous and dishonorable, and would so be esteemed by the whole world. The council were so overawed by this heroic behavior in a private clergyman, that they dismissed him without further censure or punishment.[*]

* Spotswood, p. 203. Anderson, vol. ii. p. 280.

But though this transaction might have recalled Bothwell and the queen of Scots from their infatuation, and might have instructed them in the dispositions of the people, as well as in their own inability to oppose them, they were still resolute to rush forward to their own manifest destruction. The marriage was solemnized by the bishop of Orkney, a Protestant, who was afterwards deposed by the church for this scandalous compliance. Few of the nobility appeared at the ceremony: they had most of them, either from shame or fear, retired to their own houses. The French ambassador, Le Croc, an aged gentleman of honor and character, could not be prevailed on, though a dependent of the house of Guise, to countenance the marriage by his presence.[*] Elizabeth remonstrated, by friendly letters and messages, against the marriage.[**] The court of France made like opposition; but Mary, though on all other occasions she was extremely obsequious to the advice of her relations in that country, was here determined to pay no regard to their opinion.

The news of these transactions, being carried to foreign countries, filled Europe with amazement, and threw infamy, not only on the principal actors in them, but also on the whole nation, who seemed, by their submission and silence, and even by their declared approbation, to give their sanction to these scandalous practices.[***] The Scots who resided abroad met with such reproaches, that they durst nowhere appear in public; and they earnestly exhorted their countrymen at home to free them from the public odium, by bringing to condign punishment the authors of such atrocious crimes. This intelligence, with a little more leisure for reflection, roused men from their lethargy; and the rumors which, from the very beginning,[****] had been spread against Mary, as if she had concurred in the king's murder, seemed now, by the subsequent transactions, to have received a strong confirmation and authority.

* Spotswood, p. 203. Melvil, p. 82.

** Keith, p. 392.

*** Digges, p. 14.

**** Melvil, p. 82. Keith, p. 402. Anderson, voL i. p. 128, 134, Crawford, p. 11. Keith, Pref. p. 9.

It was every where said, that even though no particular and direct proofs had as yet been produced of the queen's guilt, the whole tenor of her late conduct was sufficient, not only to beget suspicion, but to produce entire conviction against her: that her sudden resolution of being reconciled to her husband, whom before she had long and justly hated; her bringing him

to court, from which she had banished him by neglects and rigors; her fitting up separate apartments for him; were all of them circumstances which, though trivial in themselves, yet, being compared with the subsequent events, bore a very unfavorable aspect for her: that the least which, after the king's murder, might have been expected in her situation, was a more than usual caution in her measures, and an extreme anxiety to punish the real assassins, in order to free herself from all reproach and suspicion: that no woman who had any regard to her character, would allow a man, publicly accused of her husband's murder, so much as to approach her presence, far less give him a share in her councils, and endow him with favor and authority that an acquittal, merely in the absence of accusers, was very ill fitted to satisfy the public; especially if that absence proceeded from a designed precipitation of the sentence, and from the terror which her known friendship for the criminal had infused into every one: that the very mention of her marriage to such a person, in such circumstances, was horrible; and the contrivances of extorting a consent from the nobility, and of concerting a rape, were gross artifices, more proper to discover her guilt than prove her innocence: that where a woman thus shows a consciousness of merited reproach, and instead of correcting, provides only thin glosses to cover her exceptionable conduct, she betrays a neglect of fame, which must either be the effect or the cause of the most shameful enormities: that to espouse a man who had, a few days before, been so scandalously divorced from his wife, who, to say the least, was believed to have a few months before assassinated her husband, was so contrary to the plainest rules of behavior, that no pretence of indiscretion or imprudence could account for such a conduct: that a woman who, so soon after her husband's death, though not attended with any extraordinary circumstances, contracts a marriage which might in itself be the most blameless, cannot escape severe censure; but one who overlooks for her pleasure so many other weighty considerations, was equally capable, in gratifying her appetites, to neglect every regard to honor and humanity: that Mary was not ignorant of the prevailing opinion of the public with regard to her own guilt, and of the inferences which would every where be drawn from her conduct; and therefore, if she still continued to pursue measures which gave such just offence, she ratified by her actions, as much as she could by the most formal confession, all the surmises and imputations of her enemies: that a prince was here murdered in the face of the world; Bothwell alone was suspected and accused; if he were innocent, nothing could absolve him, either in Mary's eyes or those of the public, but the detection and conviction of the real assassin: yet no inquiry was made to that purpose, though a parliament had been assembled; the sovereign and wife was here plainly silent from guilt, the people from terror: that the only circumstance which opposed all these presumptions, or rather proofs, was the benignity and goodness of her preceding behavior, which seemed to remove her from all suspicions of such atrocious inhumanity; but that the characters of men were extremely variable, and persons guilty of the worst actions were not always naturally of the worst and most criminal dispositions; that a woman who, in a critical and dangerous moment, had sacrificed her honor to a man of abandoned principles, might thenceforth be led blindfold by him to the commission of the most enormous crimes, and was in reality no longer at her own disposal: and that, though one supposition was still left to alleviate her blame; namely, that Bothwell, presuming on her affection towards him, had of himself committed the crime, and had never communicated it to her; yet such a sudden and passionate love to a man whom she had long known, could not easily be accounted for, without supposing some degree of preceding guilt; and as it appeared that she was not afterwards restrained, either by shame or prudence, from incurring the highest reproach and danger, it was not likely that a sense of duty or humanity would have a more powerful influence over her.

These were the sentiments which prevailed throughout Scotland: and as the Protestant teachers, who had great authority, had long borne an animosity to Mary, the opinion of her

guilt was by that means the more widely diffused, and made the deeper impression on the people. Some attempts made by Bothwell, and, as is pretended, with her consent, to get the young prince into his power, excited the most serious attention; and the principal nobility, even many of those who had formerly been constrained to sign the application in favor of Bothwells marriage, met at Stirling, and formed an association for protecting the prince, and punishing the king's murderers.[*]

* Keith, p. 394.

The earl of Athole himself, a known Catholic, was the first author of this confederacy, the earls of Argyle, Morton, Marre, Glencairne, the lords Boyd, Lindesey, Hume, Semple, Kirkaldy of Grange, Tulibardine, and Secretary Lidington, entered zealously into it. The earl of Murray, foreseeing such turbulent times, and being desirous to keep free of these dangerous factions, had some time before desired and obtained Mary's permission to retire into France.

Lord Hume was first in arms; and leading a body of eight hundred horse, suddenly environed the queen of Scots and Bothwell, in the Castle of Borthwick. They found means of making their escape to Dunbar; while the confederate lords were assembling their troops at Edinburgh, and taking measures to effect their purpose. Had Bothwell been so prudent as to keep within the fortress of Dunbar, his enemies must have dispersed for want of pay and subsistence; but hearing that the associated lords were fallen into distress, he was so rash as to take the field, and advance towards them. The armies met at Carberry Hill, about six miles from Edinburgh; and Mary soon became sensible that her own troops disapproved of her cause, and were averse to spill their blood in the quarrel.[*] After some bravadoes of Bothwell, where he discovered very little courage, she saw no resource but that of holding a conference with Kirkaldy of Grange, and of putting herself, upon some general promises, into the hands of the confederates. She was conducted to Edinburgh, amidst the insults of the populace; who reproached her with her crimes, and even held before her eyes, which way soever she turned, a banner, on which were painted the murder of her husband and the distress of her infant son.[**] Mary, overwhelmed with her calamities, had recourse to tears and lamentations. Meanwhile Bothwell, during her conference with Grange, fled unattended to Dunbar; and fitting out a few small ships, set sail for the Orkneys, where he subsisted during some time by piracy. He was pursued thither by Grange, and his ship was taken, with several of his servants; who afterwards discovered all the circumstances of the king's murder, and were punished for the crime.[***] Bothwell himself escaped in a boat, and found means to get a passage to Denmark, where he was thrown into prison, lost his senses, and died miserably about ten years after; an end worthy of his flagitious conduct and behavior.

* Keith, p. 402. Spotswood, p. 207.

** Melvil, p. 83, 84.

*** Anderson, vol. ii. p. 165, 166, etc.

The queen of Scots, now in the hands of an enraged faction met with such treatment as a sovereign may naturally expect from subjects, who have their future security to provide for, as well as their present animosity to gratify. It is pretended that she behaved with a spirit very little suitable to her condition, avowed her inviolable attachment to Bothwell,[*] and even wrote him a letter, which the lords intercepted, wherein she declared, that she would endure any extremity, nay, resign her dignity and crown itself, rather than relinquish his affections.[**] The malecontents, finding the danger to which they were exposed in case Mary should finally

prevail, thought themselves obliged to proceed with rigor against her; and they sent her next day under a guard to the Castle of Lochlevin, situated in a lake of that name. The mistress of the house was mother to the earl of Murray; and as she pretended to have been lawfully married to the late king of Scots, she naturally bore an animosity to Mary, and treated her with the utmost harshness and severity.

* Keith, p. 419.

** Melvil, p. 84.

Elizabeth, who was fully informed of all those incidents, seemed touched with compassion towards the unfortunate queen; and all her fears and jealousies being now laid asleep, by the consideration of that ruin and infamy in which Mary's conduct had involved her, she began to reflect on the instability of human affairs, the precarious state of royal grandeur, the danger of encouraging rebellious subjects; and she resolved to employ her authority for alleviating the calamities of her unhappy kinswoman. She sent Sir Nicholas Throgmorton ambassador to Scotland, in order to remonstrate both with Mary and the associated lords; and she gave him instructions, which, though mixed with some lofty pretensions, were full of that good sense which was so natural to her, and of that generosity which the present interesting conjuncture had called forth. She empowered him to declare[*] in her name to Mary, that the late conduct of that princess, so enormous, and in every respect so unjustifiable, had given her the highest offence; and though she felt the movements of pity towards her, she had once determined never to interpose in her affairs, either by advice or assistance, but to abandon her entirely, as a person whose condition was totally desperate, and honor irretrievable.

* The reality of this letter appears somewhat disputable; chiefly because Murray and his associates never mentioned it in their accusation of her before Queen Elizabeth's commissioners.

That she was well assured that other foreign princes, Mary's near relations, had embraced the same resolution; but, for her part, the late events had touched her heart with more tender sympathy, and had made her adopt measures more favorable to the liberty and interests of the unhappy queen: that she was determined not to see her oppressed by her rebellious subjects, but would employ all her good offices, and even her power, to redeem her from captivity, and place her in such a condition as would at once be compatible with her dignity and the safety of her subjects: that she conjured her to lay aside all thoughts of revenge, except against the murderers of her husband; and as she herself was his near relation, she was better entitled than the subjects of Mary to interpose her authority on that head; and she therefore besought that princess, if she had any regard to her own honor and safety, not to oppose so just and reasonable a demand: that after those two points were provided for, her own liberty and the punishment of her husband's assassins, the safety of her infant son was next to be considered; and there seemed no expedient more proper for that purpose, than sending him to be educated in England: and that, besides the security which would attend his removal from a scene of faction and convulsions, there were many other beneficial consequences, which it was easy to foresee as the result of his education in that country.[*]

* Keith, p. 411, 412, etc

The remonstrances which Throgmorton was instructed to make to the associated lords, were entirely conformable to these sentiments which Elizabeth entertained in Mary's favor. She

empowered him to tell them, that whatever blame she might throw on Mary's conduct, any opposition to their sovereign was totally unjustifiable, and incompatible with all order and good government: that it belonged not to them to reform, much less to punish, the maleadministration of their prince; and the only arms which subjects could in any case lawfully employ against the supreme authority, were entreaties, counsels, and representations: that if these expedients failed, they were next to appeal by their prayers to Heaven, and to wait with patience till the Almighty, in whose hands are the hearts of princes, should be pleased to turn them to justice and to mercy. That she inculcated not this doctrine because she herself was interested in its observance, but because it was universally received in all well-governed states, and was essential to the preservation of civil society: that she required them to restore their queen to liberty; and promised, in that case, to concur with them in all proper expedients for regulating the government, for punishing the king's murderers, and for guarding the life and liberty of the infant prince: and that, if the services which she had lately rendered the Scottish nation, in protecting them from foreign usurpation, were duly considered by them, they would repose confidence in her good offices, and would esteem themselves blameworthy in having hitherto made no application to her.[*]

Elizabeth, besides these remonstrances, sent by Throgmorton some articles of accommodation, which he was to propose to both parties, as expedients for the settlement of public affairs; and though these articles contained some important restraints on the sovereign power, they were in the main calculated for Mary's advantage, and were sufficiently indulgent to her.[**] The associated lords, who determined to proceed with greater severity, were apprehensive of Elizabeth's partiality; and being sensible that Mary would take courage from the protection of that powerful princess,[***] they thought proper, after several affected delays, to refuse the English ambassador all access to her. There were four different schemes proposed in Scotland for the treatment of the captive queen: one, that she should be restored to her authority under very strict limitations: the second, that she should be obliged to resign her crown to the prince, be banished the kingdom, and be confined either to France or England; with assurances from the sovereign in whose dominions she should reside, that she should make no attempts to the disturbance of the established government: the third, that she should be publicly tried for her crimes, of which her enemies pretended to have undoubted proof, and be sentenced to perpetual imprisonment: the fourth was still more severe, and required that, after her trial and condemnation, capital punishment should be inflicted upon her.[****] Throgmorton supported the mildest proposal; but though he promised his mistress's guaranty for the performance of articles, threatened the ruling party with immediate vengeance in case of refusal,[v] and warned them not to draw on themselves, by their violence, the public reproach which now lay upon their queen, he found that, excepting Secretary Lidington, he had not the good fortune to convince any of the leaders.

* Keith, p. 414, 415, 429.

** Keith, p. 416.

*** Keith, p. 427.

**** Keith, p. 420.

v Keith, p. 428.

All counsels seemed to tend towards the more severe expedients; and the preachers, in particular, drawing their examples from the rigorous maxims of the Old Testament, which can

only be warranted by particular revelations, inflamed the minds of the people against their unhappy sovereign.[*]

There were several pretenders to the regency of the young prince after the intended deposition of Mary. The earl of Lenox claimed that authority as grandfather to the prince: the duke of Chatelrault, who was absent in France, had pretensions as next heir to the crown: but the greatest number of the associated lords inclined to the earl of Murray, in whose capacity they had entire trust, and who possessed the confidence of the preachers and more zealous reformers. All measures being therefore concerted, three instruments were sent to Mary, by the hands of Lord Lindesey and Sir Robert Melvil; by one of which she was to resign the crown in favor of her son, by another to appoint Murray regent, by the third to name a council, which should administer the government till his arrival in Scotland. The queen of Scots, seeing no prospect of relief, lying justly under apprehensions for her life, and believing that no deed which she executed during her captivity could be valid, was prevailed on, after a plentiful effusion of tears, to sign these three instruments; and she took not the trouble of inspecting any one of them.[**] In consequence of this forced resignation, the young prince was proclaimed king, by the name of James VI. He was soon after crowned at Stirling, and the earl of Morton took in his name the coronation oath; in which a promise to extirpate heresy was not forgotten. Some republican pretensions, in favor of the people's power, were countenanced in this ceremony;[***] and a coin was soon after struck, on which the famous saying of Trajan was inscribed, Pro me; si merear, in me; "For me; if I deserve it, against me."[****] Throgmorton had orders from his mistress not to assist at the coronation of the king of Scots.[v]

* Keith, p. 422, 426.

** Melvil, p. 85. Spotswood, p. 211. Anderson, vol. iii. p. 19.

*** Keith, p. 439, 440.

**** Keith, p. 440. Append, p. 150.

v Keith, p. 430

The council of regency had not long occasion to exercise their authority. The earl of Murray arrived from France, and took possession of his high office. He paid a visit to the captive queen, and spoke to her in a manner which better suited her past conduct than her present condition. This harsh treatment quite extinguished in her breast any remains of affection towards him.[*] Murray proceeded afterwards to break, in a more public manner, all terms of decency with her. He summoned a parliament; and that assembly, after voting that she was undoubtedly an accomplice in her husband's murder, condemned her to imprisonment, ratified her demission of the crown, and acknowledged her son for king, and Murray for regent.[**] The regent, a man of vigor and abilities, employed himself successfully in reducing the kingdom. He bribed Sir James Balfour to surrender the Castle of Edinburgh: he constrained the garrison of Dunbar to open their gates; and he demolished that fortress.

But though every thing thus bore a favorable aspect to the new government, and all men seemed to acquiesce in Murray's authority, a violent revolution, however necessary, can never be effected without great discontents; and it was not likely that, in a country where the government, in its most settled state, possessed a very disjointed authority, a new establishment should meet with no interruption or disturbance. Few considerable men of the nation seemed willing to support Mary, so long as Bothwell was present; but the removal of

that obnoxious nobleman had altered the sentiments of many. The duke of Chatelrault, being disappointed of the regency, bore no good will to Murray; and the same sentiments were embraced by all his numerous retainers. Several of the nobility, finding that others had taken the lead among the associators, formed a faction apart, and opposed the prevailing power; and besides their being moved by some remains of duty and affection towards Mary, the malecontent lords, observing every thing carried to extremity against her, were naturally led to embrace her cause, and shelter themselves under her authority. All who retained any propensity to the Catholic religion were induced to join this party; and even the people in general, though they had formerly either detested Mary's crimes or blamed her imprudence, were now inclined to compassionate her present situation, and lamented that a person possessed of so many amiable accomplishments, joined to such high dignity, should be treated with such extreme severity.[***]

* Melvil, p. 87. Keith, p. 445.

** Anderson, vol. ii. p. 206, et seq.

*** Buchanan, lib. xviii. c. 53.

Animated by all these motives, many of the principal nobility now adherents to the queen of Scots, met at Hamilton, and concerted measures for supporting the cause of that princess.

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While these humors were in fermentation, Mary was employed in contrivances for effecting her escape; and she engaged, by her charms and caresses, a young gentleman, George Douglas, brother to the laird of Lochlevin, to assist her in that enterprise. She even went so far as to give him hopes of espousing her, after her marriage with Bothwell should be dissolved on the plea of force; and she proposed this expedient to the regent, who rejected it. Douglas, however, persevered in his endeavors to free her from captivity; and having all opportunities of access to the house, he was at last successful in the undertaking. He conveyed her in disguise into a small boat, and himself rowed her ashore. She hastened to Hamilton; and the news of her arrival in that place being immediately spread abroad, many of the nobility flocked to her with their forces. A bond of association for her defence was signed by the earls of Argyle, Huntley, Eglington, Crawford, Cassilis, Rothes, Montrose, Sutherland, Erroi, nine bishops, and nine barons, besides many of the most considerable gentry.[*] And in a few days, an army, to the number of six thousand men, was assembled under her standard.

Elizabeth was no sooner informed of Mary's escape, than she discovered her resolution of persevering in the same generous and friendly measures which she had hitherto pursued. If she had not employed force against the regent during the imprisonment of that princess, she had been chiefly withheld by the fear of pushing him to greater extremities against her;[**] but she had proposed to the court of France an expedient, which, though less violent, would have been no less effectual for her service: she desired that France and England should by concert cut off all commerce with the Scots, till they should do justice to their injured sovereign.[***]

* Keith, p. 475.

** Keith, p. 463. Cabala, p. 141.

*** Keith, p. 462.

She now despatched Leighton into Scotland to offer both her good offices, and the assistance of her forces, to Mary; but as she apprehended the entrance of French troops into the kingdom, she desired that the controversy between the queen of Scots and her subjects might by that princess be referred entirely to her arbitration, and that no foreign succors should be introduced into Scotland.[*]

But Elizabeth had not leisure to exert fully her efforts in favor of Mary. The regent made haste to assemble forces; and notwithstanding that his army was inferior in number to that of the queen of Scots, he took the field against her. A battle was fought at Langside, near Glasgow, which was entirely decisive in favor of the regent; and though Murray, after his victory, stopped the bloodshed, yet was the action followed by a total dispersion of the queen's party. That unhappy princess fled southwards from the field of battle with great precipitation, and came with a few attendants to the borders of England. She here deliberated concerning her next measures, which would probably prove so important to her future happiness or misery. She found it impossible to remain in her own kingdom: she had an aversion, in her present wretched condition, to return into France, where she had formerly appeared with so much splendor; and she was not, besides, provided with a vessel which could safely convey her thither: the late generous behavior of Elizabeth made her hope for protection, and even assistance, from that quarter;[**] and as the present fears from her domestic enemies were the most urgent, she overlooked all other considerations, and embraced the resolution of taking shelter in England. She embarked on board a fishing-boat in Galloway, and landed the same day at Workington, in Cumberland, about thirty miles from Carlisle, whence she immediately despatched a messenger to London, notifying her arrival, desiring leave to visit Elizabeth, and craving her protection, in consequence of former professions of friendship made her by that princess.

Elizabeth now found herself in a situation when it was become necessary to take some decisive resolution with regard to her treatment of the queen of Scots; and as she had hitherto, contrary to the opinion of Cecil, attended more to the motives of generosity than of policy,[***] she was engaged by that prudent minister to weigh anew all the considerations which occurred in this critical conjuncture.

* Keith, p. 473, in the notes. Anderson, vol. iv. p, 26.

** Jebb's Collection, vol. i. p. 420.

*** Cabala, p. 140.

He represented, that the party which had dethroned Mary, and had at present assumed the government of Scotland, were always attached to the English alliance, and were engaged, by all the motives of religion and of interest, to persevere in their connection with Elizabeth: that though Murray and his friends might complain of some unkind usage during their banishment in England, they would easily forget these grounds of quarrel, when they reflected, that Elizabeth was the only ally on whom they could safely rely, and that their own queen, by her attachment to the Catholic faith, and by her other connections, excluded them entirely from the friendship of France, and even from that of Spain: that Mary, on the other hand, even before her violent breach with her Protestant subjects, was in secret entirely governed by the counsels of the house of Guise, much more would she implicitly comply with their views, when, by her own ill conduct, the power of that family and of the zealous Catholics was become her sole resource and security: that her pretensions to the English crown would render her a dangerous instrument in their hands; and, were she once able to suppress the Protestants in her own kingdom, she would unite the Scottish and English Catholics, with those of all foreign

states, in a confederacy against the religion and government of England; that it behoved Elizabeth, therefore, to proceed with caution in the design of restoring her rival to the throne; and to take care, both that this enterprise, if undertaken, should be effected by English forces alone, and that full securities should beforehand be provided for the reformers and the reformation in Scotland: that, above all, it was necessary to guard carefully the person of that princess; lest, finding this unexpected reserve in the English friendship, she should suddenly take the resolution of flying into France, and should attempt by foreign force to recover possession of her authority: that her desperate fortunes and broken reputation fitted her for any attempt; and her resentment, when she should find herself thus deserted by the queen, would concur with her ambition and her bigotry, and render her an unrelenting, as well as powerful enemy to the English government: that if she were once abroad, in the hands of enterprising Catholics, the attack on England would appear to her as easy as that on Scotland; and the only method, she must imagine of recovering her native kingdom, would be to acquire that crown to which she would deem herself equally entitled: that a neutrality in such interesting situations, though it might be pretended, could never, without the most extreme danger, be upheld by the queen; and the detention of Mary was equally requisite whether the power of England were to be employed in her favor, or against her: that nothing, indeed, was more becoming a great prince than generosity; yet the suggestions of this noble principle could never, without imprudence, be consulted in such delicate circumstances as those in which the queen was at present placed; where her own safety and the interests of her people were intimately concerned in every resolution which she embraced: that though the example of successful rebellion, especially in a neighboring country, could nowise be agreeable to any sovereign, yet Mary's imprudence had been so great, perhaps her crimes so enormous, that the insurrection of subjects, after such provocation, could no longer be regarded as a precedent against other princes: that it was first necessary for Elizabeth to ascertain, in a regular and satisfactory manner, the extent of Mary's guilt, and thence to determine the degree of protection which she ought to afford her against her discontented subjects: that as no glory could surpass that of defending oppressed innocence, it was equally infamous to patronize vice and murder on the throne; and the contagion of such dishonor would extend itself to all who countenanced or supported it: and that if the crimes of the Scottish princess should, on inquiry, appear as great and certain as was affirmed and believed, every measure against her, which policy should dictate, would thence be justified; or if she should be found innocent, every enterprise which friendship should inspire would be acknowledged laudable and glorious.

Agreeably to these views, Elizabeth resolved to proceed in a seemingly generous, but really cautious manner with the queen of Scots; and she immediately sent orders to Lady Scrope, sister to the duke of Norfolk, a lady who lived in the neighborhood, to attend on that princess. Soon after, she despatched to her Lord Scrope himself, warden of the marches, and Sir Francis Knolles, vice-chamberlain. They found Mary already lodged in the Castle of Carlisle; and after expressing the queen's sympathy with her in her late misfortunes, they told her, that her request of being allowed to visit their sovereign, and of being admitted to her presence, could not at present be complied with: till she had cleared herself of her husband's murder, of which she was so strongly accused, Elizabeth could not without dishonor show her any countenance, or appear indifferent to the assassination of so near a kinsman.[*]

* Anderson, vol. iv. p. 54, 66, 82, 83, 86.

So unexpected a check threw Mary into tears: and the necessity of her situation extorted from her a declaration, that she would willingly justify herself to her sister from all imputations, and would submit her cause to the arbitration of so good a friend.[*] Two days after, she sent Lord Herreis to London with a letter to the same purpose.

This concession, which Mary could scarcely avoid without an acknowledgment of guilt, was the point expected and desired by Elizabeth: she immediately despatched Midlemore to the regent of Scotland; requiring him both to desist from the further prosecution of his queen's party, and to send some persons to London to justify his conduct with regard to her. Murray might justly be startled at receiving a message so violent and imperious; but as his domestic enemies were numerous and powerful, and England was the sole ally which he could expect among foreign nations, he was resolved rather to digest the affront, than provoke Elizabeth by a refusal. He also considered, that though that queen had hitherto appeared partial to Mary, many political motives evidently engaged her to support the king's cause in Scotland; and it was not to be doubted but so penetrating a princess would in the end discover this interest, and would at least afford him a patient and equitable hearing. He therefore replied, that he would himself take a journey to England, attended by other commissioners, and would willingly submit the determination of his cause to Elizabeth.[**]

Lord Herreis now perceived that his mistress had advanced too far in her concessions: he endeavored to maintain, that Mary could not, without diminution of her royal dignity, submit to a contest with her rebellious subjects before a foreign prince: and he required either present aid from England, or liberty for his queen to pass over into France. Being pressed, however, with the former agreement before the English council, he again renewed his consent; but in a few days he began anew to recoil; and it was with some difficulty that he was brought to acquiesce in the first determination.[***] These fluctuations, which were incessantly renewed, showed his visible reluctance to the measures pursued by the court of England.

* Anderson, vol. iv. p. 10, 55, 87.

** Anderson, vol. iv. p. 13-16.

*** Anderson, vol. iv. p. 16-20.

The queen of Scots discovered no less aversion to the trial proposed; and it required all the artifice and prudence of Elizabeth to make her persevere in the agreement to which she had at first consented. This latter princess still said to her, that she desired not without Mary's consent and approbation to enter into the question, and pretended only as a friend to hear her justification: that she was confident there would be found no difficulty in refuting all the calumnies of her enemies; and even if her apology should fall short of full conviction, Elizabeth was determined to support her cause, and procure her some reasonable terms of accommodation; and that it was never meant, that she should be cited to a trial on the accusation of her rebellious subjects; but, on the contrary, that they should be summoned to appear, and to justify themselves for their conduct towards her.[*] Allured by these plausible professions, the queen of Scots agreed to vindicate herself by her own commissioners, before commissioners appointed by Elizabeth.

During these transactions, Lord Scrope and Sir Francis Knolles, who resided with Mary at Carlisle, had leisure to study her character, and to make report of it to Elizabeth. Unbroken by her misfortunes, resolute in her purpose, active in her enterprises, she aspired to nothing but victory; and was determined to endure any extremity, to undergo any difficulty, and to try every fortune, rather than abandon her cause, or yield the superiority to her enemies. Eloquent, insinuating, affable, she had already convinced all those who approached her, of the innocence of her past conduct; and as she declared her fixed purpose to require aid of her friends all over Europe, and even to have recourse to infidels and barbarians, rather than fail of vengeance against her persecutors, it was easy to foresee the danger to which her charms, her spirit, her address, if allowed to operate with their full force, would expose them.[**] The court

of England, therefore, who, under pretence of guarding her, had already in effect detained her prisoner, were determined to watch her with still greater vigilance. As Carlisle, by its situation on the borders, afforded her great opportunities of contriving her escape, they removed her to Bolton, a seat of Lord Scrope's in Yorkshire; and the issue of the controversy between her and the Scottish nation was regarded as a subject more momentous to Elizabeth's security and interests than it had hitherto been apprehended.

* Anderson, vol. iv. p. 11, 12, 13, 109, 110.

** Anderson, vol. iv. p. 54, 71, 72, 74, 78, 92.

The Commissioners appointed by the English court for the examination of this great cause, were the duke of Norfolk, the earl of Sussex, and Sir Ralph Sadler; and York was named as the place of conference. Lesley, bishop of Ross, the lords Herreis, Levingstone, and Boyde, with three persons more, appeared as commissioners from the queen of Scots. The earl of Murray, regent, the earl of Morton, the bishop of Orkney, Lord Lindesey, and the abbot of Dunfermling were appointed commissioners from the king and kingdom of Scotland. Secretary Lidington, George Buchanan, the famous poet and historian, with some others, were named as their assistants.

It was a great circumstance in Elizabeth's glory, that she was thus chosen umpire between the factions of a neighboring kingdom, which had during many centuries entertained the most violent jealousy and animosity against England; and her felicity was equally rare, in having the fortunes and fame of so dangerous a rival, who had long given her the greatest inquietude, now entirely at her disposal. Some circumstances of her late conduct had discovered a bias towards the side of Mary: her prevailing interests led her to favor the enemies of that princess: the professions of impartiality which she had made were open and frequent; and she had so far succeeded, that each side accused her commissioners of partiality towards their adversaries.[*] She herself appears, by the instructions given them, to have fixed no plan for the decision; but she knew that the advantages which she should reap must be great, whatever issue the cause might take. If Mary's crimes could be ascertained by undoubted proof, she could forever blast the reputation of that princess, and might justifiably detain her forever a prisoner in England: if the evidence fell short of conviction, it was intended to restore her to the throne, but with such strict limitations, as would leave Elizabeth perpetual arbiter of all differences between the parties in Scotland, and render her in effect absolute mistress of the kingdom.[**]

* Anderson, vol. iv. part ii. p. 40.

** Anderson, vol. iv. part ii. p. 14, 15, etc. Goodall, vol. ii p. 110.

Mary's commissioners, before they gave in their complaint, against her enemies in Scotland, entered a protest, that their appearance in the cause should nowise affect the independence of her crown, or be construed as a mark of subordination to England: the English commissioners received this protest, but with a reserve to the claim of England. The complaint of that princess was next read, and contained a detail of the injuries which she had suffered since her marriage with Bothwell: that her subjects had taken arms against her, on pretence of freeing her from captivity; that when she put herself into their hands, they had committed her to close custody in Lochlevin; had placed her son, an infant, on her throne; had again taken arms against her after her deliverance from prison; had rejected all her proposals for accommodation, had given battle to her troops; and had obliged her, for the safety of her person, to take shelter in

England.[*] The earl of Murray, in answer to this complaint, gave a summary and imperfect account of the late transactions: that the earl of Bothwell, the known murderer of the late king, had, a little after committing that crime, seized the person of the queen and led her to Dunbar; that he acquired such influence over her as to gain her consent to marry him, and he had accordingly procured a divorce from his former wife, and had pretended to celebrate his nuptials with the queen; that the scandal of this transaction, the dishonor which it brought on the nation, the danger to which the infant prince was exposed from the attempts of that audacious man, had obliged the nobility to take arms, and oppose his criminal enterprises; that after Mary, in order to save him, had thrown herself into their hands, she still discovered such a violent attachment to him, that they found it necessary, for their own and the public safety, to confine her person during a season, till Bothwell and the other murderers of her husband could be tried and punished for their crimes; and that during this confinement she had voluntarily, without compulsion or violence, merely from disgust at the inquietude and vexations attending power, resigned her crown to her only son, and had appointed the earl of Murray regent during the minority.[**]

* Anderson, vol. iv. part ii. p. 52. Goodall, vol. ii. p. 128. Haynes, p. 478.

** Anderson, vol. iv. part ii. p. 64, et seq. Goodall, vol. ii. p. 144.

The queen's answer to this apology was obvious: that she did not know, and never could suspect, that Bothwell, who had been acquitted by a jury, and recommended to her by all the nobility for her husband, was the murderer of the king; that she ever was, and still continues desirous, that, if he be guilty, he may be brought to condign punishment; that her resignation of the crown was extorted from her by the well-grounded fears of her life, and even by direct menaces of violence; and that Throgmorton, the English ambassador, as well as others of her friends, had advised her to sign that paper, as the only means of saving herself from the last extremity, and had assured her, that a consent, given under these circumstances, could never have any validity.[*]

So far the queen of Scots seemed plainly to have the advantage in the contest; and the English commissioners might have been surprised that Murray had made so weak a defence, and had suppressed all the material imputations against that princess, on which his party had ever so strenuously insisted, had not some private conferences previously informed them of the secret. Mary's commissioners had boasted that Elizabeth, from regard to her kinswoman, and from her desire of maintaining the rights of sovereigns, was determined, how criminal soever the conduct of that princess might appear, to restore her to the throne;[**] and Murray, reflecting on some past measures of the English court, began to apprehend that there were but too just grounds for these expectations. He believed that Mary, if he would agree to conceal the most violent part of the accusation against her, would submit to any reasonable terms of accommodation; but if he once proceeded so far as to charge her with the whole of her guilt, no composition could afterwards take place; and should she ever be restored, either by the power of Elizabeth or the assistance of her other friends, he and his party must be exposed to her severe and implacable vengeance.[***] He resolved, therefore, not to venture rashly on a measure which it would be impossible for him ever to recall; and he privately paid a visit to Norfolk and the other English commissioners, confessed his scruples, laid before them the evidence of the queen's guilt, and desired to have some security for Elizabeth's protection, in case that evidence should, upon examination, appear entirely satisfactory. Norfolk was not secretly displeased with these scruples of the regent.[****]

* Anderson, vol. iv. part ii. p. 60, et seq. Goodall, vol. ii. p. 162.

** Anderson, vol. iv. part ii. p. 45. Goodall, vol. ii. p. 127.

*** Anderson, vol. iv. part ii. p. 47, 48. Goodall, vol. ii. p. 159.

**** Crawford, p. 92. Melvil, p. 94, 95. Haynes, p. 574.

He had ever been a partisan of the queen of Scots. Secretary Lidington, who began also to incline to that party, and was a man of singular address and capacity, had engaged him to embrace further views in her favor, and even to think of espousing her: and though that duke confessed[*] that the proofs against Mary seemed to him unquestionable, he encouraged Murray in his present resolution, not to produce them publicly in the conferences before the English commissioners.[**]

Norfolk, however, was obliged to transmit to court the queries proposed by the regent. These queries consisted of four particulars: Whether the English commissioners had authority from their sovereign to pronounce sentence against Mary, in case her guilt should be fully proved before them? Whether they would promise to exercise that authority, and proceed to an actual sentence? Whether the queen of Scots, if she were found guilty, should be delivered into the hands of the regent, or, at least, be so secured in England, that she never should be able to disturb the tranquillity of Scotland? and, Whether Elizabeth would also, in that case, promise to acknowledge the young king, and protect the regent in his authority?[***]

Elizabeth, when these queries, with the other transactions, were laid before her, began to think that they pointed towards a conclusion more decisive and more advantageous than she had hitherto expected. She determined therefore to bring the matter into full light; and, under pretext that the distance from her person retarded the proceedings of her commissioners, she ordered them to come to London, and there continue the conferences. On their appearance, she immediately joined in commission with them some of the most considerable of her council; Sir Nicholas Bacon, lord keeper, the earls of Arundel and Leicester, Lord Clinton, admiral, and Sir William Cecil, secretary.[****] The queen of Scots, who knew nothing of these secret motives, and who expected that fear or decency would still restrain Murray from proceeding to any violent accusation against her, expressed an entire satisfaction in this adjournment; and declared that the affair, being under the immediate inspection of Elizabeth, was now in the hands where she most desired to rest it.[v].

* Anderson, vol., iv. part ii. p. 77.

** Anderson, vol. iv. part ii. p. 57, 77. State Trials, vol. i. p. 76

*** Anderson, vol. iv. part ii. p. 55. Goodall, vol. ii. p. 130.

**** Anderson, vol. iv. part ii. p. 99.

v Anderson, vol iv. part ii. p. 95. Goodall, vol. ii. p 177, 179.

The conferences were accordingly continued at Hampton Court; and Mary's commissioners, as before, made no scruple to be present at them.
The queen, meanwhile, gave a satisfactory answer to all Murray's demands; and declared that, though she wished and hoped from the present inquiry to be entirely convinced of Mary's innocence, yet if the event should prove contrary, and if that princess should appear guilty of her husband's murder, she should, for her own part, deem her ever after unworthy of a throne.[*] The regent, encouraged by this declaration, opened more fully his charge against the queen of Scots; and after expressing his reluctance to proceed to that extremity, and protesting that nothing but the necessity of self-defence, which must not be abandoned for any delicacy, could have engaged him in such a measure, he proceeded to accuse her in plain terms of participation and consent in the assassination of the king.[**] The earl of Lenox too appeared before the English commissioners, and, imploring vengeance for the murder of his son, accused Mary as an accomplice with Bothwell in that enormity.[***]
When this charge was so unexpectedly given in, and copies of it were transmitted to the bishop of Ross, Lord Herreis, and the other commissioners of Mary, they absolutely refused to return an answer; and they grounded their silence on very extraordinary reasons: they had orders, they said, from their mistress, if any thing were advanced that might touch her honor, not to make any defence, as she was a sovereign princess, and could not be subject to any tribunal; and they required that she should previously be admitted to Elizabeth's presence, to whom, and to whom alone, she was determined to justify her innocence.[****]

* Goodall, vol. ii. p. 199.

** Anderson, vol. iv. part ii. p. 115, et seq. Goodall, vol. ii. p. 206.

*** Anderson, vol. iv. part ii. p. 122. Goodall, vol. ii. p. 208.

**** Anderson, vol. iv. part ii. p. 125, et seq. Goodall, vol. ii. p. 184, 211, 217.

They forgot that the conferences were at first begun, and were still continued, with no other view than to clear her from the accusations of her enemies; that Elizabeth had ever pretended to enter into them only as her friend, by her own consent and approbation, not as assuming any jurisdiction over her; that this princess had from the beginning refused to admit her to her presence, till she should vindicate herself from the crimes imputed to her; that she had therefore discovered no new signs of partiality by her perseverance in that resolution; and that though she had granted an audience to the earl of Murray and his colleagues, she had previously conferred the same honor on Mary's commissioners;[*] and her conduct was so far entirely equal to both parties.[**] 11
As the commissioners of the queen of Scots refused to give in any answer to Murray's charge, the necessary consequence seemed to be, that there could be no further proceedings in the conference. But though this silence might be interpreted as a presumption against her, it did not fully answer the purpose of those English ministers who were enemies to that princess. They still desired to have in their hands the proofs of her guilt; and in order to draw them with decency from the regent, a judicious artifice was employed by Elizabeth. Murray was called before the English commissioners, and reproved by them, in the queen's name, for the atrocious imputations which he had the temerity to throw upon his sovereign; but though the earl of Murray, they added, and the other commissioners, had so far forgotten the duty of

allegiance to their prince, the queen never would overlook what she owed to her friend, her neighbor, and her kinswoman; and she therefore desired to know what they could say in their own justification.[***] Murray, thus urged, made no difficulty in producing the proofs of his charge against the queen of Scots; and among the rest, some love-letters and sonnets of hers to Bothwell, written all in her own hand, and two other papers, one written in her own hand, another subscribed by her, and written by the earl of Huntley; each of which contained a promise of marriage with Bothwell, made before the pretended trial and acquittal of that nobleman.

* Lesley's Negotiations in Anderson, vol. iii. p. 25. Haynes, p. 487.

** See note K, at the end of the volume.

*** Anderson, vol. iv. part ii. p. 147. Goodall, vol. ii. p. 233.

All these important papers had been kept by Bothwell in a silver box or casket, which had been given him by Mary, and which had belonged to her first husband, Francis; and though the princess had enjoined him to burn the letters as soon as he had read them, he had thought proper carefully to preserve them, as pledges of her fidelity, and had committed them to the custody of Sir James Balfour, deputy governor of the Castle of Edinburgh. When that fortress was besieged by the associated lords, Bothwell sent a servant to receive the casket from the hands of the deputy governor. Balfour delivered it to the messenger; but as he had at that time received some disgust from Bothwell, and was secretly negotiating an agreement with the ruling party, he took care, by conveying private intelligence to the earl of Morton, to make the papers be intercepted by him, They contained incontestable proofs of Mary's criminal correspondence with Bothwell, of her consent to the king's murder, and of her concurrence in the violence which Bothwell pretended to commit upon her.[*] Murray fortified this evidence by some testimonies of corresponding facts;[**] and he added, some time after, the dying confession of one Hubert, or French Paris, as he was called, a servant of Bothwell's, who had been executed for the king's murder, and who directly charged the queen with her being accessory to that criminal enterprise.[***]

Mary's commissioners had used every expedient to ward this blow, which they saw coming upon them, and against which, it appears, they were not provided with any proper defence. As soon as Murray opened his charge, they endeavored to turn the conferences from an inquiry into a negotiation; and though informed by the English commissioners, that nothing could be more dishonorable for their mistress, than to enter into a treaty with such undutiful subjects, before she had justified herself from those enormous imputations which had been thrown upon her, they still insisted that Elizabeth should settle terms of accommodation between Mary and her enemies in Scotland.[****] They maintained, that till their mistress had given in her answer to Murray's charge, his proofs could neither be called for nor produced:[v] and finding that the English commissioners were still determined to proceed in the method which had been projected, they finally broke off the conferences, and never would make any reply.

* Anderson, vol. ii. p. 115. Goodall, vol. ii. p. 1.

** Anderson, vol. ii. part ii. p. 165, etc. Goodall, vol. ii.

*** Anderson, vol. ii. p. 192. Goodall, vol. ii. p. 76.

**** Anderson, vol. iv. part ii. p. 135, 139. Goodall, vol. ii.

v Anderson, vol. iv. part ii. p. 139, 145. Goodall, vol. ii.

These papers, at least translations of them, have since been published. The objections made to their authenticity are in general of small force: but were they ever so specious, they cannot now be hearkened to; since Mary, at the time when the truth could have been fully cleared, did in effect ratify the evidence against her, by recoiling from the inquiry at the very critical moment, and refusing to give an answer to the accusation of her enemies.[*] 12

But Elizabeth, though she had seen enough for her own satisfaction, was determined that the most eminent persons of her court should also be acquainted with these transactions, and should be convinced of the equity of her proceedings. She ordered her privy council to be assembled; and, that she might render the matter more solemn and authentic, she summoned along with them the earls of Northumberland, Westmoreland, Shrewsbury, Worcester, Huntingdon, and Warwick. All the proceedings of the English commissioners were read to them: the evidences produced by Murray were perused: a great number of letters written by Mary to Elizabeth were laid before them, and the handwriting compared with that of the letters delivered in by the regent: the refusal of the queen of Scots' commissioners to make any reply was related: and on the whole, Elizabeth told them, that as she had from the first thought it improper that Mary, after such horrid crimes were imputed to her, should be admitted to her presence, before she had in some measure justified herself from the charge, so now, when her guilt was confirmed by so many evidences, and all answer refused, she must, for her part, persevere more steadily in that resolution.[**] Elizabeth next called in the queen of Scots' commissioners; and after observing, that she deemed it much more decent for their mistress to continue the conferences, than to require the liberty of justifying herself in person, she told them, that Mary might either send her reply by a person whom she trusted, or deliver it herself to some English nobleman, whom Elizabeth should appoint to wait upon her: but as to her resolution of making no reply at all, she must regard it as the strongest confession of guilt, nor could they ever be deemed her friends who advised her to that method of proceeding.[***] These topics she enforced still more strongly in a letter which she wrote to Mary herself.[****]

* See note L, at the end of the volume.

** Anderson, vol. iv. part ii. p. 170, etc. Goodall, vol. ii. p. 254.

*** Anderson, vol. iv. part ii. p. 179, etc. Goodall, vol. ii p. 268.

**** Anderson, vol. iv part ii. p. 183. Goodall, vol. ii. p. 269.

The queen of Scots had no other subterfuge from these pressing remonstrances, than still to demand a personal interview with Elizabeth: a concession which, she was sensible, would never be granted;[*] because Elizabeth knew that this expedient could decide nothing; because it brought matters to extremity, which that princess desired to avoid; and because it had been refused from the beginning, even before the commencement of the conferences. In order to

keep herself better in countenance, Mary thought of another device. Though the conferences were broken off, she ordered her commissioners to accuse the earl of Murray and his associates as the murderers of the king:[**] but this accusation, coming so late, being extorted merely by a complaint of Murray's, and being unsupported by any proof, could only be regarded as an angry recrimination upon her enemy.[***] 13 She also desired to have copies of the papers given in by the regent; but as she still persisted in her resolution to make no reply before the English commissioners, this demand was finally refused her.[****] 14

* Cabala, p. 157.

** Goodall, vol. ii. p. 280.

*** See note M, at the end of the volume.

**** Goodall, vol. ii. p. 253, 283, 289, 310, 311. Haynes, vol. i. p. 492. See note N, at the end of the volume.

As Mary had thus put an end to the conferences, the regent expressed great impatience to return into Scotland; and he complained, that his enemies had taken advantage of his absence, and had thrown the whole government into confusion. Elizabeth therefore dismissed him; and granted him a loan of five thousand pounds, to bear the charges of his journey.[*] During the conferences at York, the duke of Chatelrault arrived at London, in passing from France; and as the queen knew that he was engaged in Mary's party, and had very plausible pretensions to the regency of the king of Scots, she thought proper to detain him till after Murray's departure. But notwithstanding these marks of favor, and some other assistance which she secretly gave this latter nobleman,[**] she still declined acknowledging the young king, or treating with Murray as regent of Scotland.

* Rymer, tom. xv. p. 677.

* MS. in the Advocates' library. A. 3, 29, p. 128, 129, 130, from Cott. lab. Cal. c. 1.

Orders were given for removing the queen of Scots from Bolton, a place surrounded with Catholics, to Tutbury, in the county of Stafford, where she was put under the custody of the earl of Shrewsbury. Elizabeth entertained hopes that this princess, discouraged by her misfortunes, and confounded by the late transactions, would be glad to secure a safe retreat from all the tempests with which she had been agitated; and she promised to bury every thing in oblivion, provided Mary would agree, either voluntary to resign her crown, or to associate her son with her in the government; and the administration to remain, during his minority, in the hands of the earl of Murray.[*] But that high-spirited princess refused all treaty upon such terms, and declared that her last words should be those of a queen of Scotland. Besides many other reasons, she said, which fixed her in that resolution, she knew, that if in the present emergence she made such concessions, her submission would be universally deemed an acknowledgment of guilt, and would ratify all the calumnies of her enemies.[**]

* Goodall, vol. ii. p. 295.

** Goodall. vol. ii. p. 301.

Mary still insisted upon this alternative; either that Elizabeth should assist her in recovering her authority, or should give her liberty to retire into France, and make trial of the friendship of other princes: and as she asserted, that she had come voluntarily into England, invited by many former professions of amity, she thought that one or other of these requests could not, without the most extreme injustice, be refused her. But Elizabeth, sensible of the danger which attended both these proposals, was secretly resolved to detain her still a captive; and as her retreat into England had been little voluntary, her claim upon the queen's generosity appeared much less urgent than she was willing to pretend. Necessity, it was thought, would to the prudent justify her detention: her past misconduct would apologize for it to the equitable: and though it was foreseen, that compassion for Mary's situation, joined to her intrigues and insinuating behavior, would, while she remained in England, excite the zeal of her friends, especially of the Catholics, these inconveniences were deemed much inferior to those which attended any other expedient. Elizabeth trusted also to her own address, for eluding all these difficulties: she purposed to avoid breaking absolutely with the queen of Scots, to keep her always in hopes of an accommodation, to negotiate perpetually with her, and still to throw the blame of not coming to any conclusion, either on unforeseen accidents, or on the obstinacy and perverseness of others.

We come now to mention some English affairs which we left behind us, that we might not interrupt our narrative of the events in Scotland, which formed so material a part of the present reign. The term fixed by the treaty of Chateau-Cambresis for the restitution of Calais, expired in 1567; and Elizabeth, after making her demand at the gates of that city, sent Sir Thomas Smith to Paris; and that minister, in conjunction with Sir Henry Norris, her resident ambassador, enforced her pretensions. Conferences were held on that head, without coming to any conclusion satisfactory to the English. The chancellor, De L'Hospital, told the English ambassadors, that though France by an article of the treaty was obliged to restore Calais on the expiration of eight years, there was another article of the same treaty, which now deprived Elizabeth of any right that could accrue to her by that engagement; that it was agreed, if the English should, during the interval, commit hostilities upon France, they should instantly forfeit all claim to Calais; and the taking possession of Havre and Dieppe, with whatever pretences that measure might be covered, was a plain violation of the peace between the nations: that though these places were not entered by force, but put into Elizabeth's hands by the governors, these governors were rebels; and a correspondence with such traitors was the most flagrant injury that could be committed on any sovereign: that in the treaty which ensued upon the expulsion of the English from Normandy, the French ministers had absolutely refused to make any mention of Calais, and had thereby declared their intention to take advantage of the title which had accrued to the crown of France: and that though a general clause had been inserted, implying a reservation of all claims, this concession could not avail the English, who at that time possessed no just claim to Calais, and had previously forfeited all right to that fortress.[*] The queen was nowise surprised at hearing these allegations; and as she knew that the French court intended not from the first to make restitution, much less after they could justify their refusal by such plausible reasons, she thought it better for the present to acquiesce in the loss, than to pursue a doubtful title by a war both dangerous and expensive, as well as unseasonable.[**]

*	Haynes,	p.	587.
**	Camden,	p.	406.

Elizabeth entered anew into negotiations for espousing the archduke Charles; and she seems, at this time, to have had no great motive of policy which might induce her to make this

fallacious offer: but as she was very rigorous in the terms insisted on, and would not agree that the archduke, if he espoused her, should enjoy any power or title in England, and even refused him the exercise of his religion, the treaty came to nothing; and that prince, despairing of success in his addresses, married the daughter of Albert, duke of Bavaria.[*]

* Camden, p. 407, 408.

CHAPTER XL

ELIZABETH.

1568.

Of all the European churches which shook off the yoke of papal authority, no one proceeded with so much reason and moderation as the church of England; an advantage which had been derived partly from the interposition of the civil magistrate in this innovation, partly from the gradual and slow steps by which the reformation was conducted in that kingdom. Rage and animosity against the Catholic religion was as little indulged as could be supposed in such a revolution: the fabric of the secular hierarchy was maintained entire: the ancient liturgy was preserved, so far as was thought consistent with the new principles: many ceremonies, become venerable from age and preceding use were retained: the splendor of the Romish worship, though removed, had at least given place to order and decency: the distinctive habits of the clergy, according to their different ranks, were continued: no innovation was admitted merely from spite and opposition to former usage: and the new religion, by mitigating the genius of the ancient superstition, and rendering it more compatible with the peace and interests of society, had preserved itself in that happy medium which wise men have always sought, and which the people have so seldom been able to maintain.

But though such in general was the spirit of the reformation in that country, many of the English reformers, being men of more warm complexions and more obstinate tempers, endeavored to push matters to extremities against the church of Rome, and indulged themselves in the most violent contrariety and antipathy to all former practices. Among these, Hooper, who afterwards suffered for his religion with such extraordinary constancy, was chiefly distinguished. This man was appointed, during the reign of Edward, to the see of Glocester, and made no scruple of accepting the episcopal office; but he refused to be consecrated in the episcopal habit, the cymar and rochet, which had formerly, he said, been abused to superstition, and which were thereby rendered unbecoming a true Christian. Cranmer and Ridley were surprised at this objection, which opposed the received practice, and even the established laws; and though young Edward, desirous of promoting a man so celebrated for his eloquence, his zeal, and his morals, enjoined them to dispense with this ceremony, they were still determined to retain it. Hooper then embraced the resolution, rather to refuse the bishopric than clothe himself in those hated garments; but it was deemed requisite that, for the sake of the example, he should not escape so easily. He was first confined to Cranmer's house, then thrown into prison, till he should consent to be a bishop on the terms proposed: he was plied with conferences, and reprimands, and arguments: Bucer and Peter Martyr, and the most celebrated foreign reformers, were consulted on this important question: and a compromise, with great difficulty, was at last made, that Hooper should not be obliged to wear commonly the obnoxious robes, but should agree to be consecrated in them, and to use them during cathedral service;[*] a condescension not a little extraordinary in a man of so inflexible a spirit as this reformer.

The same objection which had arisen with regard to the episcopal habit, had been moved against the raiment of the inferior clergy; and the surplice in particular, with the tippet and corner cap, was a great object of abhorrence to many of the popular zealots.[**]

* Burnet, vol. ii. p. 152. Heylin, p. 90.

** Strype, vol. i. p. 416.

In vain was it urged, that particular habits, as well as postures and ceremonies, having been constantly used by the clergy, and employed in religious service, acquire a veneration in the eyes of the people, appear sacred in their apprehensions, excite their devotion, and contract a kind of mysterious virtue, which attaches the affections of men to the national and established worship: that in order to produce this effect, a uniformity in these particulars is requisite, and even a perseverance, as far as possible, in the former practice: and that the nation would be happy, if, by retaining these inoffensive observances, the reformers could engage the people to renounce willingly what was absurd or pernicious in the ancient superstition. These arguments, which had influence with wise men, were the very reasons which engaged the violent Protestants to reject the habits. They pushed matters to a total opposition with the church of Rome; every compliance, they said, was a symbolizing with Antichrist.[*] And this spirit was carried so far by some reformers, that, in a national remonstrance, made afterwards by the church of Scotland against these habits, it was asked, "What has Christ Jesus to do with Belial? What has darkness to do with light? If surplices, corner caps, and tippets have been badges cf idolaters in the very act of their idolatry, why should the preacher of Christian liberty, and the open rebuker of all superstition, partake with the dregs of the Romish beast? Yea, who is there that ought not rather to be afraid of taking in his hand, or on his forehead, the print and mark of that odious beast?"[**] But this application was rejected by the English church.

There was only one instance in which the spirit of contradiction to the Romanists took place universally in England: the altar was removed from the wall, was placed in the middle of the church, and was thenceforth denominated the communion table. The reason why this innovation met with such general reception was, that the nobility and gentry got thereby a pretence for making spoil of the plate, vestures, and rich ornaments which belonged to the altars.[***]

* Strype, vol. i. p. 416.

** Keith, p. 565. Knox, p. 402.

*** Heylin, Preface, p. 3. Hist. p. 106.

These disputes, which had been started during the reign of Edward, were carried abroad by the Protestants who fled from the persecutions of Mary; and as the zeal of these men had received an increase from the furious cruelty of their enemies, they were generally inclined to carry their opposition to the utmost extremity against the practices of the church of Rome. Their communication with Calvin, and the other reformers who followed the discipline and worship of Geneva, confirmed them in this obstinate reluctance; and though some of the refugees, particularly those who were established at Frankfort, still adhered to King Edward's liturgy, the prevailing spirit carried these confessors to seek a still further reformation. On the accession of Elizabeth, they returned to their native country; and being regarded with general veneration, on account of their zeal and past sufferings, they ventured to insist on the establishment of their projected model; nor did they want countenance from many considerable persona in the

queen's council. But the princess herself, so far from being willing to despoil religion of the few ornaments and ceremonies which remained in it, was rather inclined to bring the public worship still nearer to the Romish ritual;[*] and she thought that the reformation had already gone too far in shaking off those forms and observances, which, without distracting men of more refined apprehensions, tend, in a very innocent manner, to allure, and amuse, and engage the vulgar.

* "When Nowel, one of her chaplains, had spoken less reverently, in a sermon preached before her, of the sign of the cross, she called aloud to him from her closet window, commanding him to retire from the ungodly digression, and to return unto his text. And on the other side, when one of her divines had preached a sermon in defence of the real presence, she openly gave him thanks for his pains and piety." Heylin, p. 124. She would have absolutely forbidden the marriage of the clergy, if Cecil had not interposed. Strype's Life of Parker, p. 107, 108, 109. She was an enemy to sermons; and usually said, that she thought two or three preachers were sufficient for a whole county. It was probably for these reasons that one Doring told her to her face from the pulpit, that she was like an untamed heifer, that would not be ruled by God's people, but obstructed his discipline See Life of Hooker, prefixed to his works.

She took care to have a law for uniformity strictly enacted: she was empowered by the parliament to add any new ceremonies which she thought proper: and though she was sparing in the exercise of this prerogative, she continued rigid in exacting an observance of the established laws, and in punishing all nonconformity. The zealots, therefore, who harbored a secret antipathy to the Episcopal order, and to the whole liturgy, were obliged, in a great measure, to conceal these sentiments, which would have been regarded as highly audacious and criminal; and they confined their avowed objections to the surplice, the confirmation of children, the sign of the cross in baptism, the ring in marriage, kneeling at the sacrament, and bowing at the name of Jesus. So fruitless is it for sovereigns to watch with a rigid care over orthodoxy, and to employ the sword in religious controversy, that the work, perpetually renewed, is perpetually to begin; and a garb, a gesture, nay, a metaphysical or grammatical distinction, when rendered important by the disputes of theologians and the zeal of the magistrate, is sufficient to destroy the unity of the church, and even the peace of society. These controversies had already excited such ferment among the people, that in some places, they refused to frequent the churches where the habits and ceremonies were used; would not salute the conforming clergy; and proceeded so far as to revile them in the streets, to spit in their faces, and to use them with all manner of contumely.[*] And while the sovereign authority checked these excesses, the flame was confined, not extinguished; and burning fiercer from confinement, it burst out in the succeeding reigns to the destruction of the church and monarchy.

* Strype's Life of Whitgift, p. 460

All enthusiasts, indulging themselves in rapturous flights ecstasies, visions, inspirations, have a natural aversion to episcopal authority, to ceremonies, rites, and forms which they denominate superstition, or beggarly elements, and which seem to restrain the liberal effusions of their zeal

and devotion: but there was another set of opinions adopted by these innovators, which rendered them in a peculiar manner the object of Elizabeth's aversion. The same bold and daring spirit which accompanied them in their addresses to the Divinity, appeared in their political speculations; and the principles of civil liberty, which during some reigns had been little avowed in the nation, and which were totally incompatible with the present exorbitant prerogative, had been strongly adopted by this new sect. Scarcely any sovereign before Elizabeth, and none after her, carried higher, both in speculation and practice, the authority of the crown; and the Puritans (so these sectaries were called, on account of their pretending to a superior purity of worship and discipline) could not recommend themselves worse to her favor, than by inculcating the doctrine of resisting or restraining princes. From all these motives, the queen neglected no opportunity of depressing those zealous innovators; and while they were secretly countenanced by some of her most favored ministers, Cecil, Leicester, Knolles, Bedford, Walsingham, she never was, to the end of her life, reconciled to their principles and practices.

We have thought proper to insert in this place an account of the rise and the genius of the Puritans; because Camden marks the present year as the period when they began to make themselves considerable in England. We now return to our narration.

1569.

The duke of Norfolk was the only peer that enjoyed the highest title of nobility; and as there were at present no princes of the blood, the splendor of his family, the opulence of his fortune, and the extent of his influence, had rendered him, without comparison, the first subject in England. The qualities of his mind corresponded to his high station:—beneficent, affable, generous, he had acquired the affections of the people; prudent, moderate, obsequious, he possessed, without giving her any jealousy, the good graces of his sovereign. His grandfather and father had long been regarded as the leaders of the Catholics; and this hereditary attachment, joined to the alliance of blood, had procured him the friendship of the most considerable men of that party; but as he had been educated among the reformers, was sincerely devoted to their principles, and maintained that strict decorum and regularity of life by which the Protestants were at that time distinguished, he thereby enjoyed the rare felicity of being popular even with the most opposite factions. The height of his prosperity alone was the source of his misfortunes, and engaged him in attempts from which his virtue and prudence would naturally have forever kept him at a distance.

Norfolk was at this time a widower; and being of a suitable age, his marriage with the queen of Scots had appeared so natural, that it occurred to several of his friends and those of that princess: but the first person who, after Secretary Lidington, opened the scheme to the duke, is said to have been the earl of Murray, before his departure for Scotland.[*] That nobleman set before Norfolk, both the advantage of composing the dissensions in Scotland by an alliance which would be so generally acceptable, and the prospect of reaping the succession of England; and in order to bind Norfolk's interest the faster with Mary's, he proposed that the duke's daughter should also espouse the young king of Scotland. The previously obtaining of Elizabeth's consent was regarded, both by Murray and Norfolk, as a circumstance essential to the success of their project; and all terms being adjusted between them, Murray took care, by means of Sir Robert Melvil, to have the design communicated to the queen of Scots. This princess replied, that the vexations which she had met with in her two last marriages, had made her more inclined to lead a single life; but she was determined to sacrifice her own inclinations to the public welfare: and therefore, as soon as she should be legally divorced from Bothwell, she would be determined by the opinion of her nobility and people in the choice of another husband.[**]

* Lesley, p. 36, 87.

** Lesley, p. 40, 41.

It is probable that Murray was not sincere in this proposal. He had two motives to engage him to dissimulation. Heknew the danger which he must run in his return through the north of England, from the power of the earls of Northumberland and Westmoreland, Mary's partisans in that country; and he dreaded an insurrection in Scotland from the duke of Chatelrault and the earls of Argyle and Huntley, whom she had appointed her lieutenants during her absence. By these feigned appearances of friendship, he both engaged Norfolk to write in his favor to the northern noblemen,[*] and he persuaded the queen of Scots to give her lieutenants permission, and even advice, to conclude a cessation of hostilities with the regent's party.[**]
The duke of Norfolk, though he had agreed that Elizabeth's consent should be previously obtained before the completion of his marriage, had reason to apprehend that he never should prevail with her voluntarily to make that concession. He knew her perpetual and unrelenting jealousy against her heir and rival; he was acquainted with her former reluctance to all proposals of marriage with the queen of Scots; he foresaw that this princess's espousing a person of his power, and character, and interest, would give the greatest umbrage; and as it would then become necessary to reinstate her in possession of her throne on some tolerable terms, and even to endeavor the reëstablishing of her character, he dreaded lest Elizabeth, whose politics had now taken a different turn, would never agree to such indulgent and generous conditions. He therefore attempted previously to gain the consent and approbation of several of the most considerable nobility; and he was successful with the earls of Pembroke, Arundel, Derby, Bedford, Shrewsbury, Southampton, Northumberland, Westmoreland, Sussex.[***] Lord Lumley and Sir Nicholas Throgmorton cordially embraced the proposal: even the earl of Leicester, Elizabeth's declared favorite, who had formerly entertained some views of espousing Mary, willingly resigned all his pretensions, and seemed to enter zealously into Norfolk's interests.[****] There were other motives, besides affection to the duke, which produced this general combination of the nobility.

* State Trials, p. 76, 78.

** Lesley, p. 41.

*** Lesley, p. 55. Camden, p. 419. Spotswood, p. 230.

**** Haynes, p. 535.

Sir William Cecil, secretary of state, was the most vigilant, active, and prudent minister ever known in England; and as he was governed by no views but the interests of his sovereign which he had inflexibly pursued, his authority over her became every day more predominant. Ever cool himself, and uninfluenced by prejudice or affection, he checked those sallies of passion, and sometimes of caprice, to which she was subject; and if he failed of persuading her in the first movement, his perseverance, and remonstrances, and arguments were sure at last to recommend themselves to her sound discernment. The more credit he gained with his mistress, the more was he exposed to the envy of her other counsellors; and as he had been supposed to adopt the interests of the house of Suffolk, whose claim seemed to carry with it no danger to the present establishment, his enemies, in opposition to him, were naturally led to attach themselves to the queen of Scots. Elizabeth saw without uneasiness this emulation among her

courtiers, which served to augment her own authority: and though she supported Cecil whenever matters came to extremities, and dissipated every conspiracy against him, particularly one laid about this time for having him thrown into the Tower on some pretence or other,[*] she never gave him such unlimited confidence as might enable him entirely to crush his adversaries.

Norfolk, sensible of the difficulty which he must meet with in controlling Cecil's counsels, especially where they concurred with the inclination as well as interest of the queen, durst not open to her his intentions of marrying the queen of Scots, but proceeded still in the same course of increasing his interest in the kingdom, and engaging more of the nobility to take part in his measures. A letter was written to Mary by Leicester, and signed by several of the first rank, recommending Norfolk for her husband, and stipulating conditions for the advantage of both kingdoms; particularly, that she should give sufficient surety to Elizabeth, and the heirs of her body, for the free enjoyment of the crown of England, that a perpetual league, offensive and defensive, should be made between their realms and subjects; that the Protestant religion should be established by law in Scotland; and that she should grant an amnesty to her rebels in that kingdom.[**]

* Camden, p. 417.

** Lesley, p. 50. Camden, p. 420. Haynes, p. 535, 539

When Mary returned a favorable answer to this application, Norfolk employed himself with new ardor in the execution of his project; and besides securing the interests of many of the considerable gentry and nobility who resided at court, he wrote letters to such as lived at their country seats, and possessed the greatest authority in the several counties.[*] The kings of France and Spain, who interested themselves extremely in Mary's cause, were secretly consulted, and expressed their approbation of these measures.[**] And though Elizabeth's consent was always supposed as a previous condition to the finishing of this alliance, it was apparently Norfolk's intention, when he proceeded such lengths without consulting her, to render his party so strong, that it should no longer be in her power to refuse it.[***]

It was impossible that so extensive a conspiracy could entirely escape the queen's vigilance and that of Cecil. She dropped several intimations to the duke, by which he might learn that she was acquainted with his designs; and she frequently warned him to beware on what pillow he reposed his head:[****] but he never had the prudence or the courage to open to her his full intentions. Certain intelligence of this dangerous combination was given her first by Leicester, then by Murray,[v] who, if ever he was sincere in promoting Norfolk's marriage, which is much to be doubted, had at least intended for his own safety and that of his party, that Elizabeth should in reality, as well as in appearance, be entire arbiter of the conditions, and should not have her consent extorted by any confederacy of her own subjects. This information gave great alarm to the court of England; and the more so, as those intrigues were attended with other circumstances, of which, it is probable, Elizabeth was not wholly ignorant.

* Lesley, p. 62.

** Lesley, p. 63.

*** State Trials, vol. i. p. 82.

**** Camden, p. 420. Spotswood, p. 231.

v Lesley, p. 71. It appears by Haynes, (p. 521, 525,) that

Elizabeth had heard rumors of Norfolk's dealing with Murray; and charged the latter to inform her of the whole truth, which he accordingly did. See also the earl of Murray's letter produced on Norfolk's trial.

Among the nobility and gentry that seemed to enter into Norfolk's views, there were many who were zealously attached to the Catholic religion, who had no other design than that of restoring Mary to her liberty, and who would gladly, by a combination with foreign powers, or even at the expense of a civil war, have placed her on the throne or England. The earls of Northumberland and Westmoreland, who possessed great power in the north, were leaders of this party; and the former nobleman made offer to the queen of Scots, by Leonard Dacres, brother to Lord Dacres, that he would free her from confinement, and convey her to Scotland, or any other place to which she should think proper to retire.[*] Sir Thomas and Sir Edward Stanley, sons of the earl of Derby, Sir Thomas Gerrard, Rolstone, and other gentlemen whose interest lay in the neighborhood of the place where Mary resided, concurred in the same views; and required that, in order to facilitate the execution of the scheme, a diversion should in the mean time be made from the side of Flanders.[**] Norfolk discouraged, and even, in appearance, suppressed these conspiracies; both because his duty to Elizabeth would not allow him to think of effecting his purpose by rebellion, and because he foresaw that, if the queen of Scots came into the possession of these men, they would rather choose for her husband the king of Spain, or some foreign prince, who had power, as well as inclination, to reestablish the Catholic religion.[***]

*	Lesley,	p.	76.
**	Lesley,	p.	98.
***	Lesley,	p.	77.

When men of honor and good principles, like the duke of Norfolk, engage in dangerous enterprises, they are commonly so unfortunate as to be criminal by halves; and while they balance between the execution of their designs and their remorses, their fear of punishment and their hope of pardon, they render themselves an easy prey to their enemies. The duke, in order to repress the surmises spread against him, spoke contemptuously to Elizabeth of the Scottish alliance; affirmed that his estate in England was more valuable than the revenue of a kingdom wasted by civil wars and factions; and declared, that when he amused himself in his own tennis-court at Norwich amidst his friends and vassals, he deemed himself at least a petty prince, and was fully satisfied with his condition.[*] Finding that he did not convince her by these asseverations, and that he was looked on with a jealous eye by the ministers, he retired to his country seat without taking leave.[**] He soon after repented of this measure, and set out on his return to court, with a view of using every expedient to regain the queen's good graces; but he was met at St. Albans by Fitz-Garret, lieutenant of the band of pensioners by whom he was conveyed to Burnham, three miles from Windsor, where the court then resided.[***]

*	Camden,	p.	420
**	Haynes,	p.	528.

*** Haynes, p. 339.

He was soon after committed to the Tower, under the custody of Sir Henry Nevil. [*] Lesley, bishop of Ross, the queen of Scots' ambassador, was examined, and confronted with Norfolk before the council.[**] The earl of Pembroke was confined to his own house: Arundel, Lumley, and Throgmorton were taken into custody. The queen of Scots herself was removed to Coventry; all access to her was, during some time, more strictly prohibited; and Viscount Hereford was joined to the earls of Shrewsbury and Huntingdon in the office of guarding her.

A rumor had been diffused in the north of an intended rebellion; and the earl of Sussex, president of York, alarmed with the danger, sent for Northumberland and Westmoreland, in order to examine them: but not finding any proof against them, he allowed them to depart. The report, meanwhile, gained ground daily; and many appearances of its reality being discovered, orders were despatched by Elizabeth to these two noblemen, to appear at court, and answer for their conduct.[***] They had already proceeded so far in their criminal designs, that they dared not to trust themselves in her hands: they had prepared measures for a rebellion; had communicated their design to Mary and her ministers;[****] had entered into a correspondence with the duke of Alva, governor of the Low Countries; had obtained his promise of a reënforcement of troops, and of a supply of arms and ammunition; and had prevailed on him to send over to London Chiapino Vitelii, one of his most famous captains, on pretence of adjusting some differences with the queen, but in reality with a view of putting him at the head of the northern rebels.

* Camden, p. 421. Haynes, p. 540.

** Lesley, p. 80.

*** Haynes, p. 552.

**** Haynes, 595. Strype, vol. ii. Append, p. 30. MS. in the Ad socates' Library from Cott. Lib. Cal. c. 9.

The summons sent to the two earls precipitated the rising before they were fully prepared; and Northumberland remained in suspense between opposite dangers, when he was informed that some of his enemies were on the way with a commission to arrest him. He took horse instantly, and hastened to his associate Westmoreland, whom he found surrounded with his friends and vassals, and deliberating with regard to the measures which he should follow in the present emergence. They determined to begin the insurrection without delay; and the great credit of these two noblemen, with that zeal for the catholic religion which still prevailed in the neighborhood, soon drew together multitudes of the common people. They published a manifesto, in which they declared that they intended to attempt nothing against the queen, to whom they vowed unshaken allegiance: and that their sole aim was to reëstablish the religion of their ancestors, to remove evil counsellors, and to restore the duke of Norfolk and other faithful peers to their liberty and to the queen's favor.[*] The number of the malecontents amounted to four thousand foot and sixteen hundred horse; and they expected the concurrence of all the Catholics in England.[**]

The queen was not negligent in her own defence, and she had beforehand, from her prudent and wise conduct, acquired the general good will of her people, the best security of a sovereign; insomuch that even the Catholics in most counties expressed an affection for her service;[***] and the duke of Norfolk himself, though he had lost her favor, and lay in

confinement, was not wanting, as far as his situation permitted, to promote the levies among his friends and retainers. Sussex, attended by the earls of Rutland, the lords Hunsdon, Evers, and Willoughby of Parham, marched against the rebels at the head of seven thousand men, and found them already advanced to the bishopric of Durham, of which they had taken possession. They retired before him to Hexham; and hearing that the earl of Warwick and Lord Clinton were advancing against them with a greater body, they found no other resource than to disperse themselves without striking a blow. The common people retired to their houses: the leaders fled into Scotland. Northumberland was found skulking in that country, and was confined by Murray in the Castle of Lochlevin. Westmoreland received shelter from the chieftains of the Kers and Scots, partisans of Mary; and persuaded them to make an inroad into England, with a view of exciting a quarrel between the two kingdoms. After they had committed great ravages, they retreated to their own country. This sudden and precipitate rebellion was followed soon after by another still more imprudent, raised by Leonard Uacres. Lord Hunsdon, at the head of the garrison of Berwick, was able, without any other assistance, to quell these rebels. Great severity was exercised against such as had taken part in these rash enterprises. Sixty-six petty constables were hanged;[****] and no less than eight hundred persons are said, on the whole, to have suffered by the hands of the executioner.[v]

* Cabala, p. 169. Strype, vol. i. p. 547.

** Stowe, p. 663.

*** Cabala, p, 170. Digges, p. 4.

**** Camden, p, 423.

v Lesley, p. 82.

But the queen was so well pleased with Norfolk's behavior, that she released him from the Tower; allowed him to live, though under some show of confinement, in his own house; and only exacted a promise from him not to proceed any further in his negotiations with the queen of Scots.[*]

Elizabeth now found that the detention of Mary was attended with all the ill consequences which she had foreseen when she first embraced that measure. This latter princess recovering, by means of her misfortunes and her own natural good sense, from that delirium into which she seems to have been thrown during her attachment to Bothwell, had behaved with such modesty and judgment, and even dignity, that every one who approached her was charmed with her demeanor; and her friends were enabled, on some plausible grounds, to deny the reality of all those crimes which had been imputed to her.[**]

* Lesley, p. 98. Camden, p. 429. Haynes, p. 597.

** Lesley, p. 232. Haynes, p. 511, 548.

Compassion for her situation, and the necessity of procuring her liberty, proved an incitement among all her partisans to be active in promoting her cause; and as her deliverance from captivity, it was thought, could nowise be effected but by attempts dangerous to the established government, Elizabeth had reason to expect little tranquillity so long as the Scottish queen remained a prisoner in her hands. But as this inconvenience had been preferred to the danger of allowing that princess to enjoy her liberty, and to seek relief in all the Catholic courts

of Europe, it behoved the queen to support the measure which she had adopted, and to guard, by every prudent expedient, against the mischiefs to which it was exposed. She still flattered Mary with hopes of her protection, maintained an ambiguous conduct between that queen and her enemies in Scotland, negotiated perpetually concerning the terms of her restoration, made constant professions of friendship to her; and by these artifices endeavored, both to prevent her from making any desperate efforts for her deliverance, and to satisfy the French and Spanish ambassadors, who never intermitted their solicitations, sometimes accompanied with menaces, in her behalf. This deceit was received with the same deceit by the queen of Scots: professions of confidence were returned by professions equally insincere: and while an appearance of friendship was maintained on both sides, the animosity and jealousy, which had long prevailed between them, became every day more inveterate and incurable. These two princesses, in address, capacity, activity, and spirit, were nearly a match for each other; but unhappily, Mary, besides her present forlorn condition, was always inferior in personal conduct and discretion, as well as in power, to her illustrious rival.

Elizabeth and Mary wrote at the same time letters to the regent. The queen of Scots desired, that her marriage with Bothwell might be examined, and a divorce be legally pronounced between them. The queen of England gave Murray the choice of three conditions; that Mary should be restored to her dignity on certain terms; that she should be associated with her son, and the administration remain in the regent's hands, till the young prince should come to years of discretion; or that she should be allowed to live at liberty as a private person in Scotland, and have an honorable settlement made in her favor.[*] Murray summoned a convention of states, in order to deliberate on these proposals of the two queens. No answer was made by them to Mary's letter, on pretence that she had there employed the style of a sovereign, addressing herself to her subjects; but in reality, because they saw that her request was calculated to prepare the way for a marriage with Norfolk, or some powerful prince, who could support her cause, and restore her to the throne. They replied to Elizabeth that the two former conditions were so derogatory to the royal authority of their prince, that they could not so much as deliberate concerning them: the third alone could be the subject of treaty. It was evident that Elizabeth, in proposing conditions so unequal in their importance, invited the Scots to a refusal of those which were most advantageous to Mary; and as it was difficult, if not impossible, to adjust all the terms of the third, so as to render it secure and eligible to all parties, it was concluded that she was not sincere in any of them.[**]

* MSS. in the Advocates' Library. A. 329, p. 137, from Cott. Lib. Catal. c. 1.

** Spotswood, p. 230, 231. Lesley, p. 71.

1570.

It is pretended, that Murray had entered into a private negotiation with the queen, to get Mary delivered into his hands;[*] and as Elizabeth found the detention of her in England so dangerous, it is probable that she would have been pleased, on any honorable or safe terms, to rid herself of a prisoner who gave her so much inquietude.[**] 15 But all these projects vanished by the sudden death of the regent, who was assassinated in revenge of a private injury, by a gentleman of the name of Hamilton. Murray was a person of considerable vigor, abilities, and constancy; but though he was not unsuccessful, during his regency, in composing the dissensions in Scotland, his talents shone out more eminently in the beginning than in the end of his life. His manners were rough and austere; and he possessed not that perfect integrity which frequently accompanies, and can alone atone for, that unamiable character.

By the death of the regent, Scotland relapsed into anarchy. Mary's party assembled together, and made themselves masters of Edinburgh. The castle, commanded by Kirkaldy of Grange, seemed to favor her cause; and as many of the principal nobility had embraced that party, it became probable, though the people were in general averse to her, that her authority might again acquire the ascendant. To check its progress, Elizabeth despatched Sussex with an army to the north, under color of chastising the ravages committed by the borderers. He entered Scotland, and laid waste the lands of the Kers and Scots, seized the Castle of Hume, and committed hostilities on all Mary's partisans, who, he said, had offended his mistress by harboring the English rebels. Sir William Drury was afterwards sent with a body of troops, and he threw down the houses of the Hamiltons, who were engaged in the same faction. The English armies were afterwards recalled by agreement with the queen of Scots, who promised, in return, that no French troops should be introduced into Scotland, and that the English rebels should be delivered up to the queen by her partisans.[***]

But though the queen, covering herself with the pretence of revenging her own quarrel, so far contributed to support the party of the young king of Scots, she was cautious not to declare openly against Mary; and she even sent a request, which was equivalent to a command, to the enemies of that princess, not to elect, during some time, a regent in the place of Murray.[****] Lenox, the king's grandfather, was therefore chosen temporary governor, under the title of lieutenant.

* Camden, p. 425. Lesley, p. 83.

** See note O, at the end of the volume.

*** Lesley, p. 91.

**** Spotswood, p. 240.

Hearing afterwards that Mary's partisans, instead of delivering up Westmoreland and the other fugitives, as they had promised, had allowed them to escape into Flanders, she permitted the king's party to give Lenox the title of regent,[*] and she sent Randolph, as her resident, to maintain a correspondence with him. But notwithstanding this step, taken in favor of Mary's enemies, she never laid aside her ambiguous conduct, nor quitted the appearance of amity to that princess. Being importuned by the bishop of Ross and her other agents, as well as by foreign ambassadors, she twice procured a suspension of arms between the Scottish factions, and by that means stopped the hands of the regent, who was likely to obtain advantages over the opposite party.[**] By these seeming contrarieties she kept alive the factions in Scotland, increased their mutual animosity, and rendered the whole country a scene of devastation and of misery.[***] She had no intention to conquer the kingdom, and consequently no interest or design to instigate the parties against each other; but this consequence was an accidental effect of her cautious politics, by which she was engaged, as far as possible, to keep on good terms with the queen of Scots, and never to violate the appearances of friendship with her, at least those of neutrality.[****] 16

* Spotswood, p. 241.

** Spotswood, p. 243.

*** Crawford, p. 136.

**** See note P, at the end of the volume.

The better to amuse Mary with the prospect of an accommodation, Cecil and Sir Walter Mildmay were sent to her with proposals from Elizabeth. The terms were somewhat rigorous, such as a captive queen might expect from a jealous rival; and they thereby bore the greater appearance of sincerity on the part of the English court. It was required that the queen of Scots, besides renouncing all title to the crown of England during the lifetime of Elizabeth, should make a perpetual league, offensive and defensive, between the kingdoms; that she should marry no Englishman without Elizabeth's consent, nor any other person without the consent of the states of Scotland; that compensation should be made for the late ravages committed in England; that justice should be executed on the murderers of King Henry; that the young prince should be sent into England, to be educated there; and that six hostages, all of them noblemen, should be delivered to the queen of England, with the Castle of Hume, and some other fortress, for the security of performance.[*] Such were the conditions upon which Elizabeth promised to contribute her endeavors towards the restoration of the deposed queen. The necessity of Mary's affairs obliged her to consent to them; and the kings of France and Spain, as well as the pope, when consulted by her, approved of her conduct chiefly on account of the civil wars, by which all Europe was at that time agitated, and which incapacitated the Catholic princes from giving her any assistance.[**]

Elizabeth's commissioners proposed also to Mary a plan of accommodation with her subjects in Scotland; and after some reasoning on that head, it was agreed that the queen should require Lenox, the regent, to send commissioners, in order to treat of conditions under her mediation. The partisans of Mary boasted, that all terms were fully settled with the court of England, and that the Scottish rebels would soon be constrained to submit to the authority of their sovereign; but Elizabeth took care that these rumors should meet with no credit, and that the king's party should not be discouraged, nor sink too low in their demands. Cecil wrote to inform the regent, that all the queen of England's proposals, so far from being fixed and irrevocable, were to be discussed anew in the conference; and desired him to send commissioners who should be constant in the king's cause, and cautious not to make concessions which might be prejudicial to their party.[***] Sussex, also, in his letters, dropped hints to the same purpose; and Elizabeth herself said to the abbot of Dunfermling, whom Lenox had sent to the court of England, that she would not insist on Mary's restoration, provided the Scots could make the justice of their cause appear to her satisfaction; and that, even if their reasons should fall short of full conviction, she would take effectual care to provide for their future security.[****]

* Spotswood, p. 245. Lesley p. 101.

** Lesley, p. 109, etc.

*** Spotswood, p, 246.

**** Spotswood, p. 247, 248.

1571.

The parliament of Scotland appointed the earl of Morton and Sir James Macgill, together with the abbot of Dunfermling, to manage the treaty. These commissioners presented memorials, containing reasons for the deposition of their queen; and they seconded their arguments with examples drawn from the Scottish history, with the authority of laws, and with the sentiments of many famous divines. The lofty ideas which Elizabeth had entertained of the absolute,

indefensible right of sovereigns, made her be shocked with these republican topics; and she told the Scottish commissioners, that she was no wise satisfied with their reasons for justifying the conduct of their countrymen; and that they might therefore, without attempting any apology, proceed to open the conditions which they required for their security.[*] They replied that their commission did not empower them to treat of any terms which might infringe the title and sovereignty of their young king; but they would gladly hear whatever proposals should be made them by her majesty. The conditions recommended by the queen were not disadvantageous to Mary; but as the commissioners still insisted that they were not authorized to treat in any manner concerning the restoration of that princess,[**] the conferences were necessarily at an end; and Elizabeth dismissed the Scottish commissioners, with injunctions that they should return, after having procured more ample powers from their parliament.[***] The bishop of Ross openly complained to the English council that they had abused his mistress by fair promises and professions; and Mary herself was no longer at a loss to judge of Elizabeth's insincerity. By reason of these disappointments, matters came still nearer to extremities between the two princesses; and the queen of Scots, finding all her hopes eluded, was more strongly incited to make, at all hazards, every possible attempt for her liberty and security.

An incident also happened about this time, which tended to widen the breach between Mary and Elizabeth, and to increase the vigilance and jealousy of the latter princess. Pope Pius V., who had succeeded Paul, after having endeavored in vain to conciliate by gentle means the friendship of Elizabeth, whom his predecessor's violence had irritated, issued at last a bull of excommunication against her, deprived her of all title to the crown, and absolved her subjects from their oaths of allegiance.[****]

* Spotswood, p. 248, 249.

** Haynes, p. 623.

*** Spotswood. p. 249, 250, etc. Lesley, p. 133, 136. Camden, p, 431, 432.

**** Camden, p. 427.

It seems probable that this attack on the queen's authority was made in concert with Mary, who intended by that means to forward the northern rebellion; a measure which was at that time in agitation.[*] John Felton affixed this bull to the gates of the bishop of London's palace; and scorning either to fly or to deny the fact, he was seized and condemned and received the crown of martyrdom, for which he seems to have entertained so violent an ambition.[**]

A new parliament, after five years' interval, was assembled at Westminster; and as the queen, by the rage of the pope against her, was become still more the head of the ruling party, it might be expected, both from this incident and from her own prudent and vigorous conduct, that her authority over the two houses would be absolutely uncontrollable. It was so in fact; yet is it remarkable, that it prevailed not without some small opposition; and that too arising chiefly from the height of zeal for Protestantism; a disposition of the English which, in general, contributed extremely to increase the queen's popularity. We shall be somewhat particular in relating the transactions of this session, because they show, as well the extent of the royal power during that age, as the character of Elizabeth, and the genius of her government. It will be curious also to observe the faint dawn of the spirit of liberty among the English, the jealousy with which that spirit was repressed by the sovereign, the imperious conduct which was maintained in opposition to it, and the ease with which it was subdued by this arbitrary princess.

The lord keeper Bacon, after the speaker of the commons was elected, told the parliament, in the queen's name, that she enjoined them not to meddle with any matters of state:[***] such was his expression; by which he probably meant, the questions of the queen's marriage, and the succession, about which they had before given her some uneasiness; for as to the other great points of government, alliances, peace and war, or foreign negotiations, no parliament in that age ever presumed to take them under consideration, or question, in these particulars, the conduct of their sovereign, or of his ministers.

In the former parliament, the Puritans had introduced seven bills for a further reformation in religion; but they had not been able to prevail in any one of them.[****] This house of commons had sitten a very few days, when Stricland, a member, revived one of the bills—that for the amendment of the liturgy.[v]

* Camden, p. 441, from Cajetanus's Life of Pius V.

** Camden, p. 428.

*** D'Ewes, p. 141.

**** D'Ewes, p. 185.

v D'Ewes p. 156, 157.

The chief objection which he mentioned, was the sign of the cross in baptism. Another member added the kneeling at the sacrament; and remarked, that if a posture of humiliation were requisite in that act of devotion, it were better that the communicants should throw themselves prostrate on the ground, in order to keep at the widest distance from former superstition.[*]

Religion was a point of which Elizabeth was, if possible, still more jealous than of matters of state. She pretended, that in quality of supreme head or governor of the church, she was fully empowered, by her prerogative alone, to decide all questions which might arise with regard to doctrine, discipline, or worship; and she never would allow her parliaments so much as to take these points into consideration.[**] The courtiers did not forget to insist on this topic: the treasurer of the household, though he allowed that any heresy might be repressed by parliament, (a concession which seems to have been rash and unguarded, since the act investing the crown with the supremacy, or rather recognizing that prerogative, gave the sovereign full power to reform all heresies,) yet he affirmed, that it belonged to the queen alone, as head of the church, to regulate every question of ceremony in worship.[***] The comptroller seconded this argument; insisted on the extent of the queen's prerogative; and said that the house might, from former examples, have taken warning not to meddle with such matters. One Pistor opposed these remonstrances of the courtiers. He was scandalized, he said, that affairs of such infinite consequence (namely, kneeling, and making the sign of the cross) should be passed over so lightly. These questions, he added, concern the salvation of souls, and interest every one more deeply than the monarchy of the whole world. This cause he showed to be the cause of God; the rest were all but terrene, yea, trifles in comparison, call them ever so great: subsidies, crowns, kingdoms, he knew not what weight they had, when laid in the balance with subjects of such unspeakable importance.[****] Though the zeal of this member seems to have been approved of, the house, overawed by the prerogative, voted upon the question, that a petition should be presented to her majesty for her license to proceed further in this bill; and in the mean time that they should stop all debate or reasoning concerning it.[v]

*	D'Ewes,	p.	167.
**	D'Ewes,	p.	158.
***	D'Ewes,	p.	166.
****	D'Ewes,	p.	166.
v	D'Ewes,	p.	167.

Matters would probably have rested here, had not the queen been so highly offended with Stricland's presumption in moving the bill for reformation of the liturgy, that she summoned him before the council, and prohibited him thenceforth from appearing in the house of commons.[*] This act of power was too violent even for the submissive parliament to endure. Carleton took notice of the matter; complained that the liberties of the house were invaded; observed that Stricland was not a private man, but represented a multitude: and moved that he might be sent for, and if he were guilty of any offence, might answer for it at the bar of the house, which he insinuated to be the only competent tribunal.[**] Yelverton enforced the principles of liberty with still greater boldness. He said, that the precedent was dangerous; and though, in this happy time of lenity, among so many good and honorable personages as were at present invested with authority, nothing of extremity or injury was to be apprehended, yet the times might alter; what now is permitted, might hereafter be construed as duty, and might be enforced even on the ground of the present permission. He added, that all matters not treasonable, or which implied not "too much" derogation of the imperial crown, might, without offence, be introduced into parliament; where every question that concerned the community must be considered, and where even the right of the crown itself must finally be determined. He remarked, that men sat not in that house in their private capacities, but as elected by their country; and though it was proper that the prince should retain his prerogative, yet was that prerogative limited by law: as the sovereign could not of himself make laws, neither could he break them merely from his own authority.[***]

*	D'Ewes,	p.	175.
**	D'Ewes,	p.	175.
***	D'Ewes,	p.	175, 176.

These principles were popular, and noble, and generous; but the open assertion of them was, at this time, somewhat new in England; and the courtiers were more warranted by present practice, when they advanced a contrary doctrine. The treasurer warned the house to be cautious in their proceedings; neither to venture further than their assured warrant might extend, nor hazard their good opinion with her majesty in any doubtful cause. The member, he said, whose attendance they required, was not restrained on account of any liberty of speech, but for his exhibiting a bill in the house against the prerogative of the queen; a temerity which was not to be tolerated. And he concluded with observing, that even speeches made in that house had been questioned and examined by the sovereign.[*] Cleere, another member, remarked, that the sovereign's prerogative is not so much as disputable, and that the safety of the queen is the safety of the subject. He added, that in questions of divinity, every man was for his instruction to repair to his ordinary; and he seems to insinuate, that the bishops themselves, for their instruction, must repair to the queen.[**] Fleetwood observed, that in his

memory, he knew a man who, in the fifth of the present queen, had been called to account for a speech in the house. But lest this example should be deemed too recent, he would inform them, from the parliament rolls, that, in the reign of Henry V., a bishop was committed to prison by the king's command, on account of his freedom of speech; and the parliament presumed not to go further than to be humble suitors for him: in the subsequent reign, the speaker himself was committed, with another member; and the house found no other remedy than a like submissive application. He advised the house to have recourse to the same expedient, and not to presume either to send for their member, or demand him as of right.[***] During this speech, those members of the privy council who sat in the house whispered together; upon which the speaker moved that the house should make stay of all further proceedings: a motion which was immediately complied with. The queen, finding that the experiment which she had made was likely to excite a great ferment, saved her honor by this silence of the house; and lest the question might be resumed, she sent next day to Stricland her permission to give his attendance in parliament.[****]

*	D'Ewes,	p.	175.
**	D'Ewes,	p.	175.
***	D'Ewes,	p.	176.
****	D'Ewes,	p.	176.

Notwithstanding this rebuke from the throne, the zeal of the commons still engaged them to continue the discussion of those other bills which regarded religion; but they were interrupted by a still more arbitrary proceeding of the queen, in which the lords condescended to be her instruments. This house sent a message to the commons, desiring that a committee might attend them. Some members were appointed for that purpose; and the upper house informed them, that the queen's majesty, being informed of the articles of reformation which they had canvassed, approved of them, intended to publish them, and to make the bishops execute them by virtue of her royal authority, as supreme head of the church of England; but that she would not permit them to be treated of in parliament.[*] The house, though they did not entirely stop proceedings on account of this injunction, seem to have been nowise offended at such haughty treatment; and in the issue, all the bills came to nothing.

A motion made by Robert Bell, a Puritan, against an exclusive patent granted to a company of merchants in Bristol,[**] gave also occasion to several remarkable incidents. The queen, some days after the motion was made, sent orders, by the mouth of the speaker, commanding the house to spend little time in motions, and to avoid long speeches. All the members understood that she had been offended, because a matter had been moved which seemed to touch her prerogative.[***] Fleetwood accordingly spoke of this delicate subject. He observed, that the queen had a prerogative of granting patents; that to question the validity of any patent was to invade the royal prerogative; that all foreign trade was entirely subjected to the pleasure of the sovereign; that even the statute which gave liberty of commerce, admitted of all prohibitions from the crown; and that the prince, when he granted an exclusive patent, only employed the power vested in him, and prohibited all others from dealing in any particular branch of commerce. He quoted the clerk of the parliament's book to prove, that no man might speak in parliament of the statute of wills, unless the king first gave license; because the royal prerogative in the wards was thereby touched. He showed, likewise, the statutes of Edward I., Edward III., and Henry IV., with a saving of the prerogative. And in Edward VI.'s time, the protector was applied to for his allowance to mention matters of prerogative.[****]

*	D'Ewes,	p.	180,	185.
**	D'Ewes,	p.	185.	
***	D'Ewes,	p.	159.	
****	D'Ewes,	p.	160.	

Sir Humphrey Gilbert, the gallant and renowned sea adventurer, carried these topics still further. He endeavored to prove the motion made by Bell to be a vain device, and perilous to be treated of; since it tended to the derogation of the prerogative imperial, which whoever should attempt so much as in fancy, could not, he said, be otherwise accounted than an open enemy. For what difference is there between saying, that the queen is not to use the privilege of the crown and saying, that she is not queen? And though experience has shown so much clemency in her majesty, as might, perhaps, make subjects forget their duty, it is not good to sport or venture too much with princes. He reminded them of the fable of the hare, who, upon the proclamation that all horned beasts should depart the court, immediately fled, lest his ears should be construed to be horns; and by this apologue he seems to insinuate, that even those who heard or permitted such dangerous speeches, would not themselves be entirely free from danger. He desired them to beware, lest if they meddled further with these matters, the queen might look to her own power; and finding herself able to suppress their challenged liberty, and to exert an arbitrary authority, might imitate the example of Lewis XI. of France, who, as he termed it, delivered the crown from wardship.[*]

Though this speech gave some disgust, nobody, at the time, replied any thing, but that Sir Humphrey mistook the meaning of the house, and of the member who made the motion: they never had any other purpose, than to represent their grievances, in due and seemly form, unto her majesty. But in a subsequent debate, Peter Wentworth, a man of a superior free spirit, called that speech an insult on the house; noted Sir Humphrey's disposition to flatter and fawn on the prince; compared him to the chameleon, which can change itself into all colors, except white; and recommended to the house a due care of liberty of speech, and of the privileges of parliament.[**]

*	D'Ewes,	p.	168.
**	D'Ewes,	p.	175.

It appears, on the whole, that the motion against the exclusive patent had no effect. Bell, the member who first introduced it, was sent for by the council, and was severely reprimanded for his temerity. He returned to the house with such an amazed countenance, that all the members, well informed of the reason, were struck with terror; and during some time no one durst rise to speak of any matter of importance, for fear of giving offence to the queen and council. Even after the fears of the commons were somewhat abated, the members spoke with extreme precaution; and by employing most of their discourse in preambles and apologies, they showed their conscious terror of the rod which hung over them. Wherever any delicate point was touched, though ever so gently; nay, seemed to be approached, though at ever so great a distance; the whisper ran about the house, "The queen will be offended; the council will be extremely displeased:" and by these surmises men were warned of the danger to which they exposed themselves. It is remarkable that the patent, which the queen defended with such

imperious violence, was contrived for the profit of four courtiers, and was attended with the utter ruin of seven or eight thousand of her industrious subjects.[*]

Thus every thing which passed the two houses was extremely respectful and submissive; yet did the queen think it incumbent on her, at the conclusion of the session, to check and that with great severity, those feeble efforts of liberty which had appeared in the motions and speeches of some members. The lord keeper told the commons, in her majesty's name, that though the majority of the lower house had shown themselves in their proceedings discreet and dutiful, yet a few of them had discovered a contrary character, and had justly merited the reproach of audacious, arrogant, and presumptuous: contrary to their duty, both as subjects and parliament men; nay, contrary to the express injunctions given them from the throne at the beginning of the session; injunctions which it might well become them to have better attended to; they had presumed to call in question her majesty's grants and prerogatives. But her majesty warns them, that since they thus wilfully forget themselves, they are otherwise to be admonished: some other species of correction must be found for them; since neither the commands of her majesty, nor the example of their wiser brethren, can reclaim their audacious, arrogant, and presumptuous folly, by which they are thus led to meddle with what nowise belongs to them, and what lies beyond the compass of their understanding.[**]

* D'Ewes, p. 242.

** D'Ewes, p. 151

In all these transactions appears clearly the opinion which Elizabeth had entertained of the duty and authority of parliaments. They were not to canvass any matters of state; still less were they to meddle with the church. Questions of either kind were far above their reach, and were appropriated to the prince alone, or to those councils and ministers with whom he was pleased to intrust them. What then was the office of parliaments? They might give directions for the due tanning of leather, or milling of cloth; for the preservation of pheasants and partridges; for the reparation of bridges and highways; for the punishment of vagabonds or common beggars. Regulations concerning the police of the country came properly under their inspection; and the laws of this kind which they prescribed, had, if not a greater, yet a more durable authority, than those which were derived solely from the proclamations of the sovereign. Precedents or reports could fix a rule for decisions in private property, or the punishment of crimes; but no alteration or innovation in the municipal law could proceed from any other source than the parliament; nor would the courts of justice be induced to change their established practice by an order of council. But the most acceptable part of parliamentary proceedings was the granting of subsidies; the attainting and punishing of the obnoxious nobility, or any minister of state after his fall; the countenancing of such great efforts of power, as might be deemed somewhat exceptionable, when they proceeded entirely from the sovereign. The redress of grievances were sometimes promised to the people; but seldom could have place, while it was an established rule, that the prerogatives of the crown must not be abridged, or so much as questioned and examined in parliament. Even though monopolies and exclusive companies had already reached an enormous height, and were every day increasing to the destruction of all liberty, and extinction of all industry, it was criminal in a member to propose, in the most dutiful and regular manner, a parliamentary application against any of them.

These maxims of government were not kept secret by Elizabeth, nor smoothed over by any fair appearances or plausible pretences. They were openly avowed in her speeches and messages to parliament; and were accompanied with all the haughtiness, nay, sometimes bitterness of expression, which the meanest servant could look for from his offended master. Yet, notwithstanding this conduct, Elizabeth continued to be the most popular sovereign that ever

swayed the sceptre of England; because the maxims of her reign were conformable to the principles of the times, and to the opinion generally entertained with regard to the constitution. The continued encroachments of popular assemblies on Elizabeth's successors have so changed our ideas in these matters, that the passages above mentioned appear to us extremely curious, and even, at first, surprising; but they were so little remarked, during the time, that neither Camden, though a contemporary writer, nor any other historian, has taken any notice of them. So absolute, indeed, was the authority of the crown, that the precious spark of liberty had been kindled, and was preserved, by the Puritans alone; and it was to this sect, whose principles appear so frivolous, and habits so ridiculous, that the English owe the whole freedom of their constitution. Actuated by that zeal which belongs to innovators, and by the courage which enthusiasm inspires, they hazarded the utmost indignation of their sovereign, and employing all their industry to be elected into parliament,—a matter not difficult while a seat was rather regarded as a burden than an advantage—they first acquired a majority in that assembly, and then obtained an ascendent over the church and monarchy.

The following were the principal laws enacted this session. It was declared treason, during the lifetime of the queen, to affirm that she was not the lawful sovereign, or that any other possessed a preferable title, or that she was a heretic, schismatic, or infidel, or that the laws and statutes cannot limit and determine the right of the crown and the successor thereof: to maintain, in writing or printing, that any person, except the "natural issue" of her body, is, or ought to be, the queen's heir or successor, subjected the person and all his abettors, for the first offence, to imprisonment during a year, and to the forfeiture of half their goods: the second offence subjected them to the penalty of a præmunire.[*] This law was plainly levelled against the queen of Scots and her partisans; and implied an avowal, that Elizabeth never intended to declare her successor. It may be noted, that the usual phrase of "lawful issue," which the parliament thought indecent towards the queen, as if she could be supposed to have any other, was changed into that of "natural issue." But this alteration was the source of pleasantry during the time; and some suspected a deeper design, as if Leicester intended, in case of the queen's demise, to produce some bastard of his own, and affirm that he was her offspring.[**]

* 13 Eliz. c. I.

** Camden, p. 436.

It appeared this session, that a bribe of four pounds had been given to a mayor for a seat in parliament. D'Ewes, p. 181. It is probable that the member had no other view than the privilege of being free from arrests.

It was also enacted, that whosoever by bulls should publish absolutions or other rescripts of the pope, or should, by means of them, reconcile any man to the church of Rome, such offenders, as well as those who were so reconciled, should be guilty of treason. The penalty of a præmunire was imposed on every one who imported any Agnus Dei, crucifix, or such other implement of superstition, consecrated by the pope.[*] The former laws against usury were enforced by a new statute.[**] A supply of one subsidy and two fifteenths was granted by parliament. The queen, as she was determined to yield to them none of her power, was very cautious in asking them for any supply. She endeavored, either by a rigid frugality to make her ordinary revenues suffice for the necessities of the crown, or she employed her prerogative, and procured money by the granting of patents, monopolies, or by some such ruinous expedient.

*	13	Eliz.	c.	2.
**	13	Eliz.	c.	8.

Though Elizabeth possessed such uncontrolled authority over her parliaments, and such extensive influence over her people; though, during a course of thirteen years, she had maintained the public tranquillity, which was only interrupted by the hasty and ill-concerted insurrection in the north; she was still kept in great anxiety, and felt her throne perpetually totter under her. The violent commotions excited in France and the Low Countries, as well as in Scotland, seemed in one view to secure her against any disturbance; but they served, on more reflection, to instruct her in the danger of her situation, when she remarked that England, no less than these neighboring countries, contained the seeds of intestine discord; the differences of religious opinion, and the furious intolerance and animosity of the opposite sectaries.

The league, formed at Bayonne in 1566, for the extermination of the Protestants, had not been concluded so secretly but intelligence of it had reached Condé, Coligny, and the other leaders of the Hugonots; and finding that the measures of the court agreed with their suspicions, they determined to prevent the cruel perfidy of their enemies, and to strike a blow before the Catholics were aware of the danger. The Hugonots, though dispersed over the whole kingdom, formed a kind of separate empire; and being closely united, as well by their religious zeal as by the dangers to which they were perpetually exposed, they obeyed with entire submission the orders of their leaders, and were ready on every signal to fly to arms. The king and queen mother were living in great security at Monceaux, in Brie, when they found themselves surrounded by Protestant troops, which had secretly marched thither from all quarters; and had not a body of Swiss come speedily to their relief, and conducted them with great intrepidity to Paris, they must have fallen, without resistance, into the hands of the malecontents. A battle was afterwards fought in the plains of St. Denis; where, though the old constable, Montmorency, the general of the Catholics, was killed combating bravely at the head of his troops, the Hugonots were finally defeated. Condé, collecting his broken forces and receiving a strong reënforcement from the German Protestants, appeared again in the field; and laying siege to Chartres, a place of great importance, obliged the court to agree to a new accommodation.

So great was the mutual animosity of those religionists, that even had the leaders on both sides been ever so sincere in their intentions for peace, and reposed ever so much confidence in each other, it would have been difficult to retain the people in tranquillity; much more where such extreme jealousy prevailed, and where the court employed every pacification as a snare for their enemies. A plan was laid for seizing the person of the prince and admiral; who narrowly escaped to Rochelle, and summoned their partisans to their assistance.[*]

*	Davila,	lib.	iv.

The civil wars were renewed with greater fury than ever, and the parties became still more exasperated against each other. The young duke of Anjou, brother to the king, commanded the forces of the Catholics; and fought in 1569, a great battle at Jarnac with the Hugonots, where the prince of Condé was killed, and his army defeated. This discomfiture, with the loss of so great a leader, reduced not the Hugonots to despair. The admiral still supported the cause; and having placed at the head of the Protestants the prince of Navarre, then sixteen years of age, and the young prince of Condé, he encouraged the party rather to perish bravely in the field, than ignominiously by the hands of the executioner. He collected such numbers, so determined to endure every extremity, that he was enabled to make head against the duke of Anjou; and

being strengthened by a new reënforcement of Germans, he obliged that prince to retreat and to divide his forces.

Coligny then laid siege to Poietiers; and as the eyes of all France were fixed on this enterprise, the duke of Guise, emulous of the renown which his father had acquired by the defence of Metz, threw himself into the place, and so animated the garrison by his valor and conduct, that the admiral was obliged to raise the siege. Such was the commencement of that unrivalled fame and grandeur afterwards attained by this duke of Guise. The attachment which all the Catholics had borne to his father, was immediately transferred to the son; and men pleased themselves in comparing all the great and shining qualities which seemed, in a manner, hereditary in that family. Equal in affability, in munificence, in address, in eloquence, and in every quality which engages the affections of men; equal also in valor, in conduct, in enterprise, in capacity; there seemed only this difference between them, that the son, educated in more turbulent times, and finding a greater dissolution of all law and order, exceeded the father in ambition and temerity, and was engaged in enterprises still more destructive to the authority of his sovereign, and to the repose of his native country.

Elizabeth, who kept her attention fixed on the civil commotions of France, was nowise pleased with this new rise of her enemies, the Guises; and being anxious for the fate of the Protestants, whose interests were connected with her own,[*] she was engaged, notwithstanding her aversion from all rebellion, and from all opposition to the will of the sovereign, to give them secretly some assistance. Besides employing her authority with the German princes, she lent money to the queen of Navarre, and received some jewels as pledges for the loan. And she permitted Henry Champernon to levy, and transport over into France, a regiment of a hundred gentlemen volunteers; among whom Walter Raleigh, then a young man, began to distinguish himself, in that great school of military valor.[**]

*	Haynes,	p.	471.
**	Camden,	p.	423.

The admiral, constrained by the impatience of his troops, and by the difficulty of subsisting them, fought with the duke of Anjou the battle of Moncontour in Poictou, where he was wounded and defeated. The court of France, notwithstanding their frequent experience of the obstinacy of the Hugonots, and the vigor of Coligny, vainly flattered themselves that the force of the rebels was at last finally annihilated; and they neglected further preparations against a foe, who, they thought, could never more become dangerous. They were surprised to hear, that this leader had appeared, without dismay, in another quarter of the kingdom; had encouraged the young princes, whom he governed to like constancy; had assembled an army; had taken the field; and was even strong enough to threaten Paris. The public finances, diminished by the continued disorders of the kingdom, and wasted by so many fruitless military enterprises, could no longer bear the charge of a new armament, and the king, notwithstanding his extreme animosity against the Hugonots, was obliged, in 1570, to conclude an accommodation with them, to grant them a pardon for all past offences, and to renew the edicts for liberty of conscience.

Though a pacification was seemingly concluded, the mind of Charles was nowise reconciled to his rebellious subjects, and this accommodation, like all the foregoing, was nothing but a snare, by which the perfidious court had projected to destroy at once, without danger, all its formidable enemies. As the two young princes, the admiral, and the other leaders of the Hugonots, instructed by past experience, discovered an extreme distrust of the king's intentions, and kept themselves in security at a distance, all possible artifices were employed to remove their apprehensions, and to convince them of the sincerity of the new counsels which

seemed to be embraced. The terms of the peace were religiously observed to them; the toleration was strictly maintained; all attempts made by the zealous Catholics to infringe it were punished with severity; offices, and favors, and honors were bestowed on the principal nobility among the Protestants; and the king and council every where declared that, tired of civil disorders, and convinced of the impossibility of forcing men's consciences, they were thenceforth determined to allow every one the free exercise of his religion.

Among the other artifices employed to lull the Protestants into a fatal security, Charles affected to enter into close connections with Elizabeth; and as it seemed not the interest of France to forward the union of the two kingdoms of Great Britain, that princess the more easily flattered herself that the French monarch would prefer her friendship to that of the queen of Scots. The better to deceive her, proposals of marriage were made her with the duke of Anjou; a prince whose youth, beauty, and reputation for valor might naturally be supposed to recommend him to a woman who had appeared not altogether insensible to these endowments. The queen immediately founded on this offer the project of deceiving the court of France; and being intent on that artifice, she laid herself the more open to be deceived. Negotiations were entered into with regard to the marriage; terms of the contract were proposed; difficulties started and removed; and the two courts, equally insincere, though not equally culpable, seemed to approach every day nearer to each other in their demands and concessions. The great obstacle seemed to lie in adjusting the difference of religion; because Elizabeth, who recommended toleration to Charles, was determined not to grant it in her own dominions, not even to her husband; and the duke of Anjou seemed unwilling to submit, for the sake of interest, to the dishonor of an apostasy.[*]

* Camden, p. 433. Davila, lib. v. Digger's Complete Ambassador p. 84, 110, 111

The artificial politics of Elizabeth never triumphed so much in any contrivances as in those which were conjoined with her coquetry; and as her character in this particular was generally known, the court of France thought that they might, without danger of forming any final conclusion, venture the further in their concessions and offers to her. The queen also had other motives for dissimulation. Besides the advantage of discouraging Mary's partisans by the prospect of an alliance between France and England, her situation with Philip demanded her utmost vigilance and attention; and the violent authority established in the Low Countries made her desirous of fortifying herself even with the bare appearance of a new confederacy.

The theological controversies which had long agitated Europe, had from the beginning penetrated into the Low Countries; and as these provinces maintained an extensive commerce, they had early received, from every kingdom with which they corresponded, a tincture of religious innovation. An opinion at that time prevailed, which had been zealously propagated by priests, and implicitly received by sovereigns, that heresy was closely connected with rebellion, and that every great or violent alteration in the church involved a like revolution in the civil government. The forward zeal of the reformers would seldom allow them to wait the consent of the magistrate to their innovations: they became less dutiful when opposed and punished; and though their pretended spirit of reasoning and inquiry was in reality nothing but a new species of implicit faith, the prince took the alarm, as if so institutions could be secure from the temerity of their researches. The emperor Charles, who proposed to augment his authority under pretence of defending the Catholic faith, easily adopted these political principles; and notwithstanding the limited prerogative which he possessed in the Netherlands, he published the most arbitrary, severe, and tyrannical edicts against the Protestants; and he took care that the execution of them should be no less violent and sanguinary. He was neither cruel nor bigoted in his natural disposition; yet an historian, celebrated for moderation and

caution, has computed, that in the several persecutions promoted by that monarch, no less than a hundred thousand persons perished by the hands of the executioner.[*] But these severe remedies; far from answering the purposes intended, had rather served to augment the numbers as well as zeal of the reformers; and the magistrates of the several towns, seeing no end of those barbarous executions, felt their humanity rebel against their principles, and declined any further persecution of the new doctrines.

* Grotii Annal. lib. i. Father Paul, another great authority, computes, in a passage above cited, that fifty thousand persons were put to death in the Low Countries alone.

When Philip succeeded to his father's dominions, the Flemings were justly alarmed with new apprehensions, lest their prince, observing the lenity of the magistrates, should take the execution of the edicts from such remiss hands, and should establish the inquisition in the Low Countries, accompanied with all the iniquities and barbarities which attended it in Spain. The severe and unrelenting character of the man, his professed attachment to Spanish manners, the inflexible bigotry of his principles; all these circumstances increased their terror; and when he departed the Netherlands, with a known intention never to return, the disgust of the inhabitants was extremely augmented, and their dread of those tyrannical orders which their sovereign, surrounded with Spanish ministers, would issue from his cabinet at Madrid. He left the duchess of Parma governess of the Low Countries, and the plain good sense and good temper of that princess, had she been intrusted with the sole power, would have preserved the submission of those opulent provinces, which were lost from that refinement of treacherous and barbarous politics on which Philip so highly valued himself. The Flemings found, that the name alone of regent remained with the duchess; that Cardinal Granville entirely possessed the king's confidence; that attempts were every day made on their liberties; that a resolution was taken never more to assemble the states; that new bishoprics were arbitrarily erected, in order to enforce the execution of the persecuting edicts; and that, on the whole, they must expect to be reduced to the condition of a province under the Spanish monarchy. The discontents of the nobility gave countenance to the complaints of the gentry, which encouraged the mutiny of the populace; and all orders of men showed a strong disposition to revolt. Associations were formed, tumultuary petitions presented, names of distinction assumed, badges of party displayed; and the current of the people, impelled by religious zeal, and irritated by feeble resistance, rose to such a height, that in several towns, particularly in Antwerp, they made an open invasion on the established worship, pillaged the churches and monasteries, broke the images, and committed the most unwarrantable disorders.

The wiser part of the nobility, particularly the prince of Orange, and the counts Egmont and Horn, were alarmed at these excesses, to which their own discontents had at first given countenance; and seconding the wisdom of the governess, they suppressed the dangerous insurrections, punished the ringleaders, and reduced all the provinces to a state of order and submission. But Philip was not contented with the reëstablishment of his ancient authority: he considered that provinces so remote from the seat of government could not be ruled by a limited prerogative; and that a prince who must entreat rather than command, would necessarily, when he resided not among the people, feel every day a diminution of his power and influence. He determined, therefore, to lay hold of the late popular disorders as a pretence for entirely abolishing the privileges of the Low Country provinces, and for ruling them thenceforth with a military and arbitrary authority.

In the execution of this violent design, he employed a man who was a proper instrument in the hands of such a tyrant. Ferdinand of Toledo, duke of Alva, had been educated amidst arms; and

having attained a consummate knowledge in the military art, his habits led him to transfer into all government the severe discipline of a camp, and to conceive no measures between prince and subject but those of rigid command and implicit obedience. This general, in 1568, conducted from Italy to the Low Countries a powerful body of veteran Spaniards; and his avowed animosity to the Flemings, with his known character, struck that whole people with terror and consternation. It belongs not to our subject to relate at length those violences which Alva's natural barbarity, steeled by reflection and aggravated by insolence, exercised on those flourishing provinces. It suffices to say, that all their privileges, the gift of so many princes, and the inheritance of so many ages, were openly and expressly abolished by edict; arbitrary and sanguinary tribunals erected; the counts Egmont and Horn, in spite of their great merits and past services, brought to the scaffold; multitudes of all ranks thrown into confinement, and thence delivered over to the executioner; and notwithstanding the peaceable submission of all men, nothing was heard of but confiscation, imprisonment, exile, torture, and death.

Elizabeth was equally displeased to see the progress of that scheme laid for the extermination of the Protestants, and to observe the erection of so great a military power in a state situated in so near a neighborhood. She gave protection to all the Flemish exiles who took shelter in her dominions; and as many of these were the most industrious inhabitants of the Netherlands, and had rendered that country celebrated for its arts, she reaped the advantage of introducing into England some useful manufactures, which were formerly unknown in that kingdom. Foreseeing that the violent government of Alva could not long subsist without exciting some commotion, she ventured to commit an insult upon him, which she would have been cautious not to hazard against a more established authority. Some Genoese merchants had engaged, by contract with Philip, to transport into Flanders the sum of four hundred thousand crowns; and the vessels on which this money was embarked, had been attacked in the Channel by some privateers equipped by the French Hugonots, and had taken shelter in Plymouth and Southampton. The commanders of the ships pretended that the money belonged to the king of Spain; but the queen, finding upon inquiry that it was the property of Genoese merchants, took possession of it as a loan; and by that means deprived the duke of Alva of this resource in the time of his greatest necessity. Alva, in revenge, seized all the English merchants in the Low Countries, threw them into prison, and confiscated their effects. The queen retaliated by a like violence on the Flemish and Spanish merchants; and gave all the English liberty to make reprisals on the subjects of Philip.

These differences were afterwards accommodated by treaty, and mutual reparations were made to the merchants; but nothing could repair the loss which so well-timed a blow inflicted on the Spanish government in the Low Countries. Alva, in want of money, and dreading the immediate mutiny of his troops, to whom great arrears were due, imposed, by his arbitrary will, the most ruinous taxes on the people. He not only required the hundredth penny, and the twentieth of all immovable goods; he also demanded the tenth of all movable goods on every sale; an absurd tyranny, which would not only have destroyed all arts and commerce, but even have restrained the common intercourse of life. The people refused compliance; the duke had recourse to his usual expedient of the gibbet; and thus matters came still nearer the last, extremities between the Flemings and the Spaniards.[*]

All the enemies of Elizabeth, in order to revenge themselves for her insults, had naturally recourse to one policy, the supporting of the cause and pretensions of the queen of Scots; and Alva, whose measures were ever violent, soon opened a secret intercourse with that princess. There was one Rodolphi, a Florentine merchant, who had resided about fifteen years in London, and who, while he conducted his commerce in England, had managed all the correspondence of the court of Rome with the Catholic nobility and gentry.[**]

* Bentivoglio, part. i. lib. v. Camden, p. 416.

** Lesley, p. 123. State Trials, vol. i. p. 87.

He had been thrown into prison at the time when the duke of Norfolk's intrigues with Mary had been discovered; but either no proof, was found against him, or the part which he had acted was not very criminal; and he soon after recovered his liberty. This man, zealous for the Catholic faith, had formed a scheme, in concert with the Spanish ambassador, for subverting the government, by a foreign invasion and a domestic insurrection; and when he communicated his project by letter to Mary, he found, that as she was now fully convinced of Elizabeth's artifices, and despaired of ever recovering her authority, or even her liberty, by pacific measures, she willingly gave her concurrence. The great number of discontented Catholics were the chief source of their hopes on the side of England and they also observed that the kingdom was at that time full of indigent gentry, chiefly younger brothers, who, having at present, by the late decay of the church, and the yet languishing state of commerce, no prospect of a livelihood suitable to their birth, were ready to throw themselves into any desperate enterprise.[*] But in order to inspire life and courage into all these malecontents, it was requisite that some great nobleman should put himself at their head; and no one appeared to Rodolphi, and to the bishop of Ross, who entered into all these intrigues, so proper, both on account of his power and his popularity, as the duke of Norfolk.

This nobleman, when released from confinement in the Tower, had given his promise, that he would drop all intercourse with the queen of Scots;[**] but finding that he had lost, and, as he feared, beyond recovery, the confidence and favor of Elizabeth, and being still in some degree restrained from his liberty, he was tempted, by impatience and despair, to violate his word, and to open anew his correspondence with the captive princess.[***] A promise of marriage was renewed between them; the duke engaged to enter into all her interests; and as his remorses gradually diminished in the course of these transactions, he was pushed to give his consent to enterprises still more criminal. Rodolphi's plan was, that the duke of Alva should, on some other pretence, assemble a great quantity of shipping in the Low Countries; should transport a body of six thousand foot and four thousand horse into England; should land them at Harwich, where the duke of Norfolk was to join them with all his friends; should thence march directly to London, and oblige the queen to submit to whatever terms the conspirators should please to impose upon her.[****] Norfolk expressed his assent to this plan; and three letters, in consequence of it, were written in his name by Rodolphi; one to Alva, another to the pope, and a third to the king of Spain; but the duke, apprehensive of the danger, refused to sign them.[v]

* Lesley, p. 123.

** Haynes, p. 571.

*** State Trials, vol. i. p. 102.

**** Lesley, p. 155., State Trials, vol. i. p. 86, 87.

v Lesley, p. 159., 161. Camden, p. 432.

He only sent to the Spanish ambassador a servant and confidant, named Barker, as well to notify his concurrence in the plan, as to vouch for the authenticity of these letters; and Rodolphi, having obtained a letter of credence from the ambassador, proceeded on his journey

to Brussels and to Rome. The duke of Alva and the pope embraced the scheme with alacrity: Rodolphi informed Norfolk of their intentions;[*] and every thing seemed to concur in forwarding the undertaking.

Norfolk, notwithstanding these criminal enterprises, had never entirely forgotten his duty to his sovereign, his country, and his religion: and though he had laid the plan both of an invasion and an insurrection, he still flattered himself, that the innocence of his intentions would justify the violence of his measures, and that, as he aimed at nothing but the liberty of the queen of Scots, and the obtaining of Elizabeth's consent to his marriage, he could not justly reproach himself as a rebel and a traitor.[**] It is certain, however, that, considering the queen's vigor and spirit, the scheme, if successful, must finally have ended in dethroning her; and her authority was here exposed to the utmost danger.

The conspiracy hitherto had entirely escaped the vigilance of Elizabeth, and that of Secretary Cecil, who now bore the title of Lord Burleigh. It was from another attempt of Norfolk's that they first obtained a hint, which, being diligently traced, led at last to a full discovery. Mary had intended to send a sum of money to Lord Herreis and her partisans in Scotland; and Norfolk undertook to have it delivered to Bannister, a servant of his, at that time in the north, who was to find some expedient for conveying it to Lord Herreis.[***] He intrusted the money to a servant who was not in the secret, and told him, that the bag contained a sum of money in silver, which he was to deliver to Bannister with a letter: but the servant, conjecturing from the weight and size of the bag that it was full of gold, carried the letter to Burleigh; who immediately ordered Bannister, Barker, and Hicford, the duke's secretary, to be put under arrest, and to undergo a severe examination. Torture made them confess the whole truth; and as Hicford, though ordered to burn all papers, had carefully kept them concealed under the mats of the duke's chamber, and under the tiles of the house, full evidence now appeared against his master.[****]

* State Trials, vol. i. p. 93.

** Lesley, p. 158.

*** Lesley, p. 169. State Trials, vol. i. p. 87. Camden, p. 434. Digges, p. 134, 137, 140. Strype, vol. ii. p. 82.

**** Lesley, p. 173.

Norfolk himself, who was entirely ignorant of the discoveries made by his servants, was brought before the council; and though exhorted to atone for his guilt by a full confession, he persisted in denying every crime with which he was charged. The queen always declared, that if he had given her this proof of his sincere repentance, she would have pardoned all his former offences;[*] but finding him obstinate, she committed him to the Tower, and ordered him to be brought to his trial. The bishop of Ross had, on some suspicion, been committed to custody before the discovery of Norfolk's guilt; and every expedient was employed to make him reveal his share in the conspiracy. He at first insisted on his privilege: but he was told, that as his mistress was no longer a sovereign, he would not be regarded as an ambassador, and that, even if that character were allowed, it did not warrant him in conspiring against the sovereign at whose court he resided.[**] As he still refused to answer interrogatories, he was informed of the confession made by Norfolk's servants; after which he no longer scrupled to make a full discovery; and his evidence put the guilt of that nobleman beyond all question.

1572.

A jury of twenty-five peers unanimously passed sentence upon him. The trial was quite regular, even according to the strict rules observed at present in these matters; except that the witnesses gave not their evidence in court, and were not confronted with the prisoner; a laudable practice, which was not at that time observed in trials for high treason.

The queen still hesitated concerning Norfolk's execution; whether that she was really moved by friendship and compassion towards a peer of that rank and merit, or that, affecting the praise of clemency, she only put on the appearance of these sentiments. Twice she signed a warrant for his execution, and twice revoked the fatal sentence;[***] and though her ministers and counsellors pushed her to rigor, she still appeared irresolute and undetermined.

* Lesley, p. 175.

** Lesley, p. 189. Spotswood.

*** Carte, p. 527, from Fenelon's Despatches. Digges, p. 166. Strype, vol. ii. p. 83.

After four months' hesitation, a parliament was assembled; and the commons addressed her in strong terms for the execution of the duke; a sanction which, when added to the greatness and certainty of his guilt, would, she thought, justify, in the eyes of all mankind, her severity against that nobleman. Norfolk died with calmness and constancy; and though he cleared himself of any disloyal intentions against the queen's authority, he acknowledged the justice of the sentence by which he suffered.[*] That we may relate together affairs of a similar nature, we shall mention, that the earl of Northumberland, being delivered up to the queen by the regent of Scotland, was also, a few months after, brought to the scaffold for his rebellion.

The queen of Scots was either the occasion or the cause of all these disturbances; but as she was a sovereign princess and might reasonably, from the harsh treatment which she had met with, think herself entitled to use any expedient for her relief, Elizabeth durst not, as yet, form any resolution of proceeding to extremities against her. She only sent Lord Delawar, Sir Ralph Sadler, Sir Thomas Bromley, and Dr. Wilson, to expostulate with her, and to demand satisfaction for all those parts of her conduct, which, from the beginning of her life, had given displeasure to Elizabeth: her assuming the arms of England, refusing to ratify the treaty of Edinburgh, intending to marry Norfolk without the queen's consent, concurring in the northern rebellion,[**] practising with Rodolphi to engage the king of Spain in an invasion of England,[***] procuring the pope's bull of excommunication, and allowing her friends abroad to give her the title of queen of England. Mary justified herself from the several articles of the charge, either by denying the facts imputed to her, or by throwing the blame on others.[****] But the queen was little satisfied with her apology; and the parliament was so enraged against her, that the commons made a direct application for her immediate trial and execution. They employed some topics derived from practice, and reason, and the laws of nations; but the chief stress was laid on passages and examples from the Old Testament,[v] which, if considered as a general rule of conduct, (an intention which it is unreasonable to suppose,) would lead to consequences destructive of all principles of humanity and morality. Matters were here carried further than Elizabeth intended; and that princess, satisfied with showing Mary the disposition of the nation, sent to the house her express commands not to deal any further at present with the affair of the Scottish queen.[v*]

* Camden, p. 440. Strype, vol. ii. App. p. 23.

** Digges, p. 16, 107. Strype, vol. ii. p. 51, 52.

*** Digges, p. 194, 208, 209. Strype, vol. ii. p. 40, 51.

**** Camden, p. 442.

v D'Ewes, p. 207, 208, etc.

v* D'Ewes, p. 219, 241.

Nothing could be a stronger proof that the puritanical interest prevailed in the house, than the intemperate use of authorities derived from Scripture, especially from the Old Testament; and the queen was so little a lover of that sect, that she was not likely to make any concession merely in deference to their solicitation. She showed, this session, her disapprobation of their schemes in another remarkable instance. The commons had passed two bills for regulating ecclesiastical ceremonies; but she sent them a like imperious message with her former ones; and by the terror of her prerogative, she stopped all further proceeding in those matters[*]
But though Elizabeth would not carry matters to such extremities against Mary as were recommended by the parliament, she was alarmed at the great interest and the restless spirit of that princess, as well as her close connections with Spain; and she thought it necessary both to increase the rigor and strictness of her confinement, and to follow maxims different from those which she had hitherto pursued in her management of Scotland.[**] That kingdom remained still in a state of anarchy. The Castle of Edinburgh, commanded by Kirkaldy of Grange, had declared for Mary; and the lords of that party, encouraged by his countenance, had taken possession of the capital, and carried on a vigorous war against the regent. By a sudden and unexpected inroad, they seized that nobleman at Stirling; but finding that his friends, sallying from the castle, were likely to rescue him, they instantly put him to death. The earl of Marre was chosen regent in his room, and found the same difficulties in the government of that divided country. He was therefore glad to accept of the mediation offered by the French and English ambassadors; and to conclude, on equal terms, a truce with the queen's party.[***] He was a man of free and generous spirit, and scorned to submit to any dependence on England; and for this reason Elizabeth, who had then formed intimate connections with France, yielded with less reluctance to the solicitations of that court, still maintained the appearance of neutrality between the parties, and allowed matters to remain on a balance in Scotland.[****]

* D'Ewes, p. 213, 238.

** Digges, p. 152.

*** Spotswood, p. 263.

**** Digges, p. 156, 165, 169.

But affairs soon after took a new turn: Marre died of melancholy, with which the distracted state of the country affected him: Morton was chosen regent; and as this nobleman had secretly taken all his measures with Elizabeth, who no longer relied on the friendship of the French court, she resolved to exert herself more effectually for the support of the party which she had always favored. She sent Sir Henry Killegrew ambassador to Scotland, who found Mary's partisans so discouraged by the discovery and punishment of Norfolk's conspiracy, that they were glad to submit to the king's authority, and accept of an indemnity for all past offences.[*] The duke of Chatelrault and the earl of Huntley, with the most considerable of Mary's friends, laid down their arms on these conditions. The garrison alone of the Castle of

Edinburgh continued refractory. Kirkaldy's fortunes were desperate; and he flattered himself with the hopes of receiving assistance from the kings of France and Spain, who encouraged his obstinacy, in the view of being able, from that quarter, to give disturbance to England. Elizabeth was alarmed with the danger; she no more apprehended making an entire breach with the queen of Scots, who, she found, would not any longer be amused by her artifices; she had an implicit reliance on Morton; and she saw, that by the submission of all the considerable nobility, the pacification of Scotland would be an easy, as well as a most important undertaking. She ordered, therefore, Sir William Drury, governor of Berwick, to march with some troops and artillery to Edinburgh, and to besiege the castle.[**]

* Spotswood, p. 268.

** Camden, p, 443.

The garrison surrendered at discretion: Kirkaldy was delivered into the hands of his countrymen, by whom he was tried, condemned, and executed; Secretary Lidington, who had taken part with him, died, soon after, a voluntary death, as is supposed; and Scotland submitting entirely to the regent, gave not, during a long time, any further inquietude to Elizabeth.

The events which happened in France were not so agreeable to the queen's interests and inclinations. The fallacious pacifications, which had been so often made with the Hugonots, gave them reason to suspect the present intentions of the court; and after all the other leaders of that party were deceived into a dangerous credulity, the sagacious admiral still remained doubtful and uncertain. But his suspicions were at last overcome, partly by the profound dissimulation of Charles, partly by his own earnest desire to end the miseries of France, and return again to the performance of his duty towards his prince and country. He considered, besides, that as the former violent conduct of the court had ever met with such fatal success, it was not unlikely that a prince, who had newly come to years of discretion, and appeared not to be rivetted in any dangerous animosities or prejudices, would be induced to govern himself by more moderate maxims. And as Charles was young, was of a passionate, hasty temper, and addicted to pleasure,[*] such deep perfidy seemed either remote from his character, or difficult and almost impossible to be so uniformly supported by him. Moved by these considerations, the admiral, the queen of Navarre, and all the Hugonots, began to repose themselves in full security, and gave credit to the treacherous caresses and professions of the French court. Elizabeth herself, notwithstanding her great experience and penetration, entertained not the least distrust of Charles's sincerity; and being pleased to find her enemies of the house of Guise removed from all authority, and to observe an animosity every day growing between the French and Spanish monarchs, she concluded a defensive league with the former,[**] and regarded this alliance as an invincible barrier to her throne. Walsingham, her ambassador, sent her over, by every courier, the most satisfactory accounts of the honor, and plain dealing, and fidelity of that perfidious prince.

* Digges, p. 8, 39.

** Camden, p. 443.

The better to blind the jealous Hugonots, and draw their leaders into the snare prepared for them, Charles offered his sister, Margaret, in marriage to the prince of Navarre; and the admiral, with all the considerable nobility of the party, had come to Paris, in order to assist at the celebration of these nuptials, which, it was hoped, would finally, if not compose the

differences, at least appease the bloody animosity of the two religions. The queen of Navarre was poisoned by orders from the court; the admiral was dangerously wounded by an assassin: yet Charles, redoubling his dissimulation, was still able to retain the Hugonots in their security; till, on the evening of St. Bartholomew, a few days after the marriage, the signal was given for a general massacre of those religionists, and the king himself in person led the way to these assassinations. The hatred long entertained by the Parisians against the Protestants, made them second, without any preparation, the fury of the court; and persons of every condition, age, and sex, suspected of any propensity to that religion, were involved in an undistinguished ruin. The admiral, his son-in-law Teligni, Soubize, Rochefoucault, Pardaillon, Piles, Lavardin, men who, during the late wars, had signalized themselves by the most heroic actions, were miserably butchered without resistance; the streets of Paris flowed with blood; and the people, more enraged than satiated with their cruelty, as if repining that death had saved their victims from further insult, exercised on their dead bodies all the rage of the most licentious brutality. About five hundred gentlemen and men of rank perished in this massacre; and near ten thousand of inferior condition.[*] Orders were instantly despatched to all the provinces for a like general execution of the Protestants; and in Rouen, Lyons, and many other cities, the people emulated the fury of the capital. Even the murder of the king of Navarre, and prince of Condé, had been proposed by the duke of Guise; but Charles, softened by the amiable manners of the king of Navarre, and hoping that these young princes might easily be converted to the Catholic faith, determined to spare their lives, though he obliged them to purchase their safety by a seeming change of their religion.

Charles, in order to cover this barbarous perfidy, pretended that a conspiracy of the Hugonots to seize his person had been suddenly detected; and that he had been necessitated, for his own defence, to proceed to this severity against them. He sent orders to Fenelon, his ambassador in England, to ask an audience, and to give Elizabeth this account of the late transaction. That minister, a man of probity, abhorred the treachery and cruelty of his court, and even scrupled not to declare that he was now ashamed to bear the name of Frenchman;[**] yet he was obliged to obey his orders, and make use of the apology which had been prescribed to him. He met with that reception from all the courtiers which he knew the conduct of his master had so well merited. Nothing could be more awful and affecting than the solemnity of his audience. A melancholy sorrow sat on every face: silence, as in the dead of night, reigned through all the chambers of the royal apartment: the courtiers and ladies, clad in deep mourning, were ranged on each side, and allowed him to pass without affording him one salute or favorable look, till he was admitted to the queen herself.[***]

* Davila, lib. v.

** Digges, p. 24[**?]

*** Carte, vol. iii. p. 522,

That princess received him with a more easy, if not a more gracious countenance; and heard from Fenelon's Despatches, his apology, without discovering any visible symptoms of indignation. She then told him, that though, on the first rumor of this dreadful intelligence, she had been astonished that so many brave men and loyal subjects, who rested secure on the faith of their sovereign, should have been suddenly butchered in so barbarous a manner, she had hitherto suspended her judgment, till further and more certain information should be brought her: that the account which he had given, even if founded on no mistake or bad information, though it might alleviate, would by no means remove the blame of the king's counsellors, or justify the strange irregularity of their proceedings: that the same force which, without

resistance, had massacred so many defenceless men, could easily have secured their persons, and have reserved them for a trial, and for punishment by a legal sentence, which would have distinguished the innocent from the guilty: that the admiral in particular, being dangerously wounded, and environed by the guards of the king, on whose protection he seemed entirely to rely, had no means of escape, and might surely, before his death, have been convicted of the crimes imputed to him: that it was more worthy of a sovereign to reserve in his own hands the sword of justice, than to commit it to bloody murderers, who, being the declared and mortal enemies of the persons accused, employed it without mercy and without distinction: that if these sentiments were just, even supposing the conspiracy of the Protestants to be real, how much more so if that crime was a calumny of their enemies, invented for their destruction? that if, upon inquiry, the innocence of these unhappy victims should afterwards appear, it was the king's duty to turn his vengeance on their defamers, who had thus cruelly abused his confidence, had murdered so many of his brave subjects, and had done what in them lay to cover him with everlasting dishonor: and that for her part, she should form her judgment of his intentions by his subsequent conduct; and in the mean time should act as desired by the ambassador and rather pity than blame his master for the extremities to which he had been carried.[*]

* Digges, p. 247, 248.

Elizabeth was fully sensible of the dangerous situation in which she now stood. In the massacre of Paris, she saw the result of that general conspiracy formed for the extermination of the Protestants; and she knew that she herself, as the head and protectress of the new religion, was exposed to the fury and resentment of the Catholics. The violence and cruelty of the Spaniards in the Low Countries was another branch of the same conspiracy; and as Charles and Philip, two princes nearly allied in perfidy and barbarity, as well as in bigotry, had now laid aside their pretended quarrel, and had avowed the most entire friendship,[*] she had reason, as soon as they had appeased their domestic commotions, to dread the effects of their united counsels. The duke of Guise also, and his family, whom Charles, in order to deceive the admiral, had hitherto kept at a distance, had now acquired an open and entire ascendant in the court of France; and she was sensible that these princes, from personal as well as political reasons, were her declared and implacable enemies. The queen of Scots, their near relation and close confederate, was the pretender to her throne; and though detained in custody, was actuated by a restless spirit, and, besides her foreign allies, possessed numerous and zealous partisans in the heart of the kingdom. For these reasons Elizabeth thought it more prudent not to reject all commerce with the French monarch, but still to listen to the professions of friendship which he made her. She allowed even the negotiations to be renewed for her marriage with the duke of Alençon, Charles's third brother:[**] those with the duke of Anjou had already been broken off. She sent the earl of Worcester to assist in her name at the baptism of a young princess, born to Charles; but before she agreed to give him this last mark of condescension, she thought it becoming her dignity to renew her expressions of blame, and even of detestation, against the cruelties exercised on his Protestant subjects.[***] Meanwhile, she prepared herself for that attack which seemed to threaten her from the combined power and violence of the Romanists: she fortified Portsmouth, put her fleet in order, exercised her militia, cultivated popularity with her subjects, acted with vigor for the further reduction of Scotland under obedience to the young king, and renewed her alliance with the German princes, who were no less alarmed than herself at these treacherous and sanguinary measures, so universally embraced by the Catholics.

* Digges, p. 268, 282.

** Digges, passim. Camden, p. 447.

*** Digges, p. 297, 298. Camden, p. 447.

But though Elizabeth cautiously avoided coming to extremities with Charles, the greatest security that she possessed against his violence was derived from the difficulties which the obstinate resistance of the Hugonots still created to him.

1573.

Such of that sect as lived near the frontiers, immediately, on the first news of the massacres, fled into England, Germany, or Switzerland; where they excited the compassion and indignation of the Protestants, and prepared themselves, with increased forces and redoubled zeal, to return into France, and avenge the treacherous slaughter of their brethren. Those who lived in the middle of the kingdom took shelter in the nearest garrisons occupied by the Hugonots; and finding that they could repose no faith in capitulations, and expect no clemency, were determined to defend themselves to the last extremity. The sect which Charles had hoped at one blow to exterminate, had now an army of eighteen thousand men on foot, and possessed, in different parts of the kingdom, above a hundred cities, castles, or fortresses;[*] nor could that prince deem himself secure from the invasion threatened him by all the other Protestants in Europe. The nobility and gentry of England were roused to such a pitch of resentment, that they offered to levy an army of twenty-two thousand foot and four thousand horse, to transport them into France, and to maintain them six months at their own charge: but Elizabeth, who was cautious in her measures, and who feared to inflame further the quarrel between the two religions by these dangerous crusades, refused her consent, and moderated the zeal of her subjects.[**] The German princes, less political, or more secure from the resentment of France, forwarded the levies made by the Protestants; and the young prince of Condé, having escaped from court, put himself at the head of these troops, and prepared to invade the kingdom. The duke of Alençon, the king of Navarre, the family of Montmorency, and many considerable men even among the Catholics, displeased, either on a private or public account, with the measures of the court, favored the progress of the Hugonots; and every thing relapsed into confusion.

1574.

The king, instead of repenting his violent counsels, which had brought matters to such extremities, called aloud for new violences;[***] nor could even the mortal distemper, under which he labored, moderate the rage and animosity by which he was actuated. He died without male issue, at the age of twenty-five years; a prince, whose character, containing that unusual mixture of dissimulation and ferocity, of quick resentment and unrelenting vengeance, executed the greatest mischiefs, and threatened still worse, both to his native country and to all Europe.

* Digges, p. 343.

** Digges, p. 335, 341.

*** Davila, lib.

Henry, duke of Anjou, who had some time before been elected king of Poland, no sooner heard of his brother's death, than he hastened to take possession of the throne of France; and found the kingdom not only involved in the greatest present disorders, but exposed to infirmities for which it was extremely difficult to provide any suitable remedy.

1575.
The people were divided into two theological factions, furious from their zeal, and mutually enraged from the injuries which they had committed or suffered; and as all faith had been violated and moderation banished, it seemed impracticable to find any terms of composition between them. Each party had devoted itself to leaders whose commands had more authority than the will of the sovereign; and even the Catholics, to whom the king was attached, were entirely conducted by the counsels of Guise and his family. The religious connections had, on both sides, superseded the civil; or rather, (for men will always be guided by present interest,) two empires being secretly formed in the kingdom, every individual was engaged by new views of interest to follow those leaders to whom, during the course of past convulsions, he had been indebted for his honors and preferment.
Henry, observing the low condition of the crown, had laid a scheme for restoring his own authority, by acting as umpire between the parties, by moderating their differences, and by reducing both to a dependence upon himself. He possessed all the talents of dissimulation requisite for the execution of this delicate plan; but being deficient in vigor, application, and sound judgment, instead of acquiring a superiority over both factions, he lost the confidence of both, and taught the partisans of each to adhere still more closely to their particular leaders, whom they found more cordial and sincere in the cause which they espoused.
1576.
The Hugonots were strengthened by the accession of a German army under the prince of Condé and Prince Casimir; but much more by the credit and personal virtues of the king of Navarre, who, having fled from court, had placed himself at the head of that formidable party. Henry, in prosecution of his plan, entered into a composition with them; and being desirous of preserving a balance between the sects, he granted them peace on the most advantageous conditions. This was the fifth general peace made with the Hugonots, but though it was no more sincere on the part of the court than any of the former, it gave the highest disgust to the Catholics; and afforded the duke of Guise the desired pretence of declaiming against the measures, and maxims, and conduct of the king.
That artful and bold leader took thence an occasion of reducing his party into a more formed and regular body; and he laid the first foundations of the famous "league," which, without paying any regard to the royal authority, aimed at the entire suppression of the Hugonots. Such was the unhappy condition of France, from the past severities and violent conduct of its princes, that toleration could no longer be admitted; and a concession for liberty of conscience, which would probably have appeased the reformers, excited the greatest resentment in the Catholics.
1577.
Henry, in order to divert the force of the league from himself, and even to elude its efforts against the Hugonots, declared himself the head of that seditious confederacy, and took the field as leader of the Romanists. But his dilatory and feeble measures betrayed his reluctance to the undertaking; and after some unsuccessful attempts, he concluded a new peace, which, though less favorable than the former to the Protestants, gave no contentment to the Catholics. Mutual diffidence still prevailed between the parties; the king's moderation was suspicious to both; each faction continued to fortify itself against that breach, which, they foresaw, must speedily ensue; theological controversy daily whetted the animosity of the sects; and every private injury became the ground of a public quarrel.
1578.
The king, hoping by his artifice and subtlety to allure the nation into a love of pleasure and repose, was himself caught in the snare; and sinking into a dissolute indolence, wholly lost the esteem, and, in a great measure, the affections, of his people. Instead of advancing such men of

character and abilities as were neuters between these dangerous factions, he gave all his confidence to young, agreeable favorites, who, unable to prop his falling authority, leaned entirely upon it, and inflamed the general odium against his administration. The public burdens, increased by his profuse liberality, and felt more heavy on a disordered kingdom, became another ground of complaint: and the uncontrolled animosity of parties, joined to the multiplicity of taxes, rendered peace more calamitous than any open state of foreign or even domestic hostility.

1579.

The artifices of the king too refined to succeed, and too frequent to be concealed; and the plain, direct, and avowed conduct of the duke of Guise on one side, and that of the king of Navarre on the other, drew by degrees the generality of the nation to devote themselves without reserve to one or the other of those great leaders.

The civil commotions of France were of too general importance to be overlooked by the other princes of Europe; and Elizabeth's foresight and vigilance, though somewhat restrained by her frugality, led her to take secretly some part in them. Besides employing on all occasions her good offices in favor of the Hugonots, she had expended no inconsiderable sums in levying that army of Germans which the prince of Condé and Prince Casimir conducted into France;[*] and notwithstanding her negotiations with the court, and her professions of amity, she always considered her own interests as connected with the prosperity of the French Protestants, and the depression of the house of Guise. Philip, on the other hand, had declared himself protector of the league; had entered into the closest correspondence with Guise; and had employed all his authority in supporting the credit of that factious leader. This sympathy of religion, which of itself begat a connection of interests, was one considerable inducement; but that monarch had also in view the subduing of his rebellious subjects in the Netherlands; who, as they received great encouragement from the French Protestants, would, he hoped, finally despair of success, after the entire suppression of their friends and confederates.

* Camden, p 452.

The same political views which engaged Elizabeth to support the Hugonots would have led her to assist the distressed Protestants in the Low Countries; but the mighty power of Philip, the tranquillity of all his other dominions, and the great force which he maintained in these mutinous provinces, kept her in awe, and obliged her, notwithstanding all temptations and all provocations, to preserve some terms of amity with that monarch. The Spanish ambassador represented to her, that many of the Flemish exiles, who infested the seas, and preyed on his master's subjects, were received into the harbors of England, and were there allowed to dispose of their prizes; and by these remonstrances the queen found herself under a necessity of denying them all entrance into her dominions.

But this measure proved in the issue extremely prejudicial to the interests of Philip. These desperate exiles, finding no longer any possibility of subsistence, were forced to attempt the most perilous enterprises; and they made an assault on the Brille, a seaport town in Holland, where they met with success, and after a short resistance became masters of the place.[*]

* Camden, p. 443.

The duke of Alva was alarmed at the danger; and stopping those bloody executions which he was making on the defenceless Flemings, he hastened with his army to extinguish the flame, which, falling on materials so well prepared for combustion, seemed to menace a general conflagration. His fears soon appeared to be well grounded. The people in the neighborhood of the Brille, enraged by that complication of cruelty, oppression, insolence, usurpation, and

persecution, under which they and all their countrymen labored, flew to arms; and in a few days almost all the whole province of Holland and that of Zealand had revolted from the Spaniards, and had openly declared against the tyranny of Alva. This event happened in the year 1572.

William, prince of Orange, descended from a sovereign family of great lustre and antiquity in Germany, inheriting the possessions of a sovereign family in France, had fixed his residence in the Low Countries; and on account of his noble birth and immense riches, as well as of his personal merit, was universally regarded as the greatest subject that lived in those provinces. He had opposed, by all regular and dutiful means, the progress of the Spanish usurpations; and when Alva conducted his army into the Netherlands, and assumed the government, this prince, well acquainted with the violent character of the man, and the tyrannical spirit of the court of Madrid, wisely fled from the danger which threatened him, and retired to his paternal estate and dominions in Germany. He was cited to appear before Alva's tribunal, was condemned in absence, was declared a rebel, and his ample possessions in the Low Countries were confiscated. In revenge, he had levied an army of Protestants in the empire, and had made some attempts to restore the Flemings to liberty; but was still repulsed with loss by the vigilance and military conduct of Alva, and by the great bravery as well as discipline of those veteran Spaniards who served under that general.

The revolt of Holland and Zealand, provinces which the prince of Orange had formerly commanded, and where he was much beloved, called him anew from his retreat; and he added conduct, no less than spirit, to that obstinate resistance which was here made to the Spanish dominion. By uniting the revolted cities in a league, he laid the foundation of that illustrious commonwealth, the offspring of industry and liberty, whose arms and policy have long made so signal a figure in every transaction of Europe. He inflamed the inhabitants by every motive which religious zeal, resentment, or love of freedom could inspire. Though the present greatness of the Spanish monarchy might deprive them of all courage, he still flattered them with the concurrence of the other provinces, and with assistance from neighboring states; and he exhorted them, in defence of their religion, their liberties, their lives, to endure the utmost extremities of war. From this spirit proceeded the desperate defence of Harlem; a defence which nothing but the most consuming famine could overcome, and which the Spaniards revenged by the execution of more than two thousand of the inhabitants.[*] This extreme severity, instead of striking terror into the Hollanders, animated them by despair; and the vigorous resistance made at Alemaer, where Alva was finally repulsed, showed them that their insolent enemies were not invincible. The duke, finding at last the pernicious effects of his violent counsels, solicited to be recalled; Medinaceli, who was appointed his successor, refused to accept the government: Requesens, commendator of Castile, was sent from Italy to replace Alva; and this tyrant departed from the Netherlands in 1574; leaving his name in execration to the inhabitants; and boasting in his turn, that, during the course of five years, he had delivered above eighteen thousand of these rebellious heretics into the hands of the executioner.[**]

* Bentivoglio, lib. vol.1.*

** Grotius, lib. ii.

Requesens, though a man of milder dispositions, could not appease the violent hatred which the revolted Hollanders had conceived against the Spanish government; and the war continued as obstinate as ever. In the siege of Leyden, under taken by the Spaniards, the Dutch opened the dikes and sluices, in order to drive them from the enterprise: and the very peasants were active in ruining their fields by an inundation, rather than fall again under the hated tyranny of Spain. But notwithstanding this repulse, the governor still pursued the war; and the contest

seemed too unequal between so mighty a monarchy and two small provinces, however fortified by nature, and however defended by the desperate resolution of the inhabitants. The prince of Orange, therefore, in 1575, was resolved to sue for foreign succor, and to make applications to one or other of his great neighbors, Henry or Elizabeth. The court of France was not exempt from the same spirit of tyranny and persecution which prevailed among the Spaniards; and that kingdom, torn by domestic dissensions, seemed not to enjoy, at present, either leisure or ability to pay regard to foreign interests. But England, long connected both by commerce and alliance with the Netherlands, and now more concerned in the fate of the revolted provinces by sympathy in religion, seemed naturally interested in their defence; and as Elizabeth had justly entertained great jealousy of Philip, and governed her kingdom in perfect tranquillity, hopes were entertained that her policy, her ambition, or her generosity, would engage her to, support them under their present calamities. They sent, therefore, a solemn embassy to London, consisting of St. Aldegonde, Douza, Nivelle, Buys, and Melsen; and after employing the most humble supplications to the queen, they offered her the possession and sovereignty of their provinces, if she would exert her power in their defence.

There were many strong motives which might impel Elizabeth to accept of so liberal an offer. She was apprised of the injuries which Philip had done her, by his intrigues with the malecontents in England and Ireland:[*] she foresaw the danger which she must incur from a total prevalence of the Catholics in the Low Countries: and the maritime situation of those provinces, as well as their command over the great rivers, was an inviting circumstance to a nation like the English, who were beginning to cultivate commerce and naval power.

* Digges, p. 73.

But this princess, though magnanimous, had never entertained the ambition of making conquests, or gaining new acquisitions; and the whole purpose of her vigilant and active politics was to maintain, by the most frugal and cautious expedients, the tranquillity of her own dominions. An open war with the Spanish monarchy was the apparent consequence of her accepting the dominion of these provinces; and after taking the inhabitants under her protection, she could never afterwards in honor abandon them, but, however desperate their defence might become, she must embrace it, even further than her convenience or interests would permit. For these reasons, she refused, in positive terms, the sovereignty proffered her; but told the ambassadors, that, in return for the good will which the prince of Orange and the states had shown her, she would endeavor to mediate an agreement for them, on the most reasonable terms that could be obtained.[*]

* Camden, p. 453, 454.

She sent accordingly Sir Henry Cobham to Philip; and represented to him the danger which he would incur of losing entirely the Low Countries, if France could obtain the least interval from her intestine disorders, and find leisure to offer her protection to those mutinous and discontented provinces. Philip seemed to take this remonstrance in good part; but no accord ensued, and war in the Netherlands continued with the same rage and violence as before.

It was an accident that delivered the Hollanders from their present desperate situation. Requesens, the governor, dying suddenly, the Spanish troops, discontented for want of pay, and licentious for want of a proper authority to command them, broke into a furious mutiny, and threw every thing into confusion. They sacked and pillaged the cities of Maestricht and Antwerp, and executed great slaughter on the inhabitants: they threatened the other cities with a like fate: and all the provinces, excepting Luxembourg, united for mutual defence against their violence, and called in the prince of Orange and the Hollanders as their protectors. A

treaty, commonly called the Pacification of Ghent, was formed by common agreement; and the removal of foreign troops, with the restoration of their ancient liberties, was the object which the provinces mutually stipulated to pursue. Don John of Austria, natural brother to Philip, being appointed governor, found, on his arrival at Luxembourg, that the states had so fortified themselves, and that the Spanish troops were so divided by their situation, that there was no possibility of resistance; and he agreed to the terms required of him. The Spaniards evacuated the country; and these provinces seemed at last to breathe a little from their calamities.

But it was not easy to settle entire peace, while the thirst of revenge and dominion governed the king of Spain, and while the Flemings were so strongly agitated with resentment of past, and fear of future injuries. The ambition of Don John, who coveted this great theatre for his military talents engaged him rather to inflame than appease the quarrel; and as he found the states determined to impose very strict limitations on his authority, he broke all articles, seized Namur, and procured the recall of the Spanish army from Italy. This prince, endowed with a lofty genius, and elated by the prosperous successes of his youth, had opened his mind to vast undertakings; and looking much beyond the conquest of the revolted provinces, had projected to espouse the queen of Scots, and to acquire in her right the dominion of the British kingdoms.[*] Elizabeth was aware of his intentions; and seeing now, from the union of all the provinces, a fair prospect of their making a long and vigorous defence against Spain, she no longer scrupled to embrace the protection of their liberties, which seemed so intimately connected with her own safety. After sending them a sum of money, about twenty thousand pounds, for the immediate pay of their troops, she concluded a treaty with them; in which she stipulated to assist them with five thousand foot and a thousand horse, at the charge of the Flemings; and to lend them a hundred thousand pounds, on receiving the bonds of some of the most considerable towns of the Netherlands, for her repayment within the year. It was further agreed, that the commander of the English army should be admitted into the council of the states; and nothing be determined concerning war or peace, without previously informing the queen or him of it; that they should enter into no league without her consent; that if any discord arose among themselves, it should be referred to her arbitration; and that, if any prince, on any pretext, should attempt hostilities against her, they should send to her assistance an army equal to that which she had employed in their defence. This alliance was signed on the seventh of January, 1578.[**]

* Camden, p. 466. Grotius, lib. iii.

** Camden, p. 466.

One considerable inducement to the queen for entering into treaty with the states, was to prevent their throwing themselves into the arms of France; and she was desirous to make the king of Spain believe that it was her sole motive. She represented to him, by her ambassador, Thomas Wilkes, that hitherto she had religiously acted the part of a good neighbor and ally; had refused the sovereignty of Holland and Zealand when offered her, had advised the prince of Orange to submit to the king; and had even accompanied her counsel with menaces, in case of his refusal. She persevered, she said, in the same friendly intentions; and, as a proof of it, would venture to interpose with her advice for the composure of the present differences: let Don John, whom she could not but regard as her mortal enemy, be recalled; let some other prince more popular be substituted in his room; let the Spanish armies be withdrawn; let the Flemings be restored to their ancient liberties and privileges; and if, after these concessions, they were still obstinate not to return to their duty, she promised to join her arms with those of the king of Spain, and force them to compliance. Philip dissembled his resentment against the queen, and still continued to supply Don John with money and troops. That prince, though once

repulsed at Rimenant by the valor of the English, under Norris, and though opposed, as well by the army of the states as by Prince Casimir, who had conducted to the Low Countries a great body of Germans paid by the queen, gained a great advantage over the Flemings at Gemblours; but was cut off in the midst of his prosperity by poison, given him secretly, as was suspected, by orders from Philip, who dreaded his ambition. The prince of Parma succeeded to the command; who, uniting valor and clemency, negotiation and military exploits, made great progress against the revolted Flemings, and advanced the progress of the Spaniards by his arts as well as by his arms.

During these years, while Europe was almost every where in great commotion, England enjoyed a profound tranquillity; owing chiefly to the prudence and vigor of the queen's administration, and to the wise precautions which she employed in all her measures. By supporting the zealous Protestants in Scotland, she had twice given them the superiority over their antagonists, had closely connected their interests with her own, and had procured herself entire security from that quarter whence the most dangerous invasions could be made upon her. She saw in France her enemies, the Guises, though extremely powerful, yet counterbalanced by the Hugo*nots, her zealous partisans, and even hated by the king, who was jealous of their restless and exorbitant ambition. The bigotry of Philip gave her just ground of anxiety; but the same bigotry had happily excited the most obstinate opposition among his own subjects, and had created him enemies whom his arms and policy were not likely soon to subdue. The queen of Scots, her antagonist and rival, and the pretender to her throne, was a prisoner in her hands; and, by her impatience and high spirit, had been engaged in practices which afforded the queen a pretence for rendering her confinement more rigorous, and for cutting off her communication with her partisans in England.

Religion was the capital point on which depended all the political transactions of that age; and the queen's conduct in this particular, making allowance for the prevailing prejudices of the times, could scarcely be accused of severity or imprudence. She established no inquisition into men's bosoms; she imposed no oath of supremacy, except on those who received trust or emolument from the public; and though the exercise of every religion but the established was prohibited by statute, the violation of this law, by saying mass, and receiving the sacrament, in private houses, was in many instances connived at;[*] while, on the other hand, the Catholics, in the beginning of her reign, showed little reluctance against going to church, or frequenting the ordinary duties of public worship. The pope, sensible that this practice would by degrees reconcile all his partisans to the reformed religion, hastened the publication of the bull which excommunicated the queen, and freed her subjects from their oaths of allegiance; and great pains were taken by the emissaries of Rome, to render the breach between the two religions as wide as possible, and to make the frequenting of Protestant churches appear highly criminal in the Catholics.[**] These practices, with the rebellion which ensued, increased the vigilance and severity of the government; but the Romanists, if their condition were compared with that of the nonconformists in other countries, and with their own maxims where they domineered, could not justly complain of violence or persecution.

* Camden, p. 459.

** Walsingham's Letter in Burnet, vol. ii. p. 418. Cabala, p. 406.

The queen appeared rather more anxious to keep a strict hand over the Puritans; who, though their pretensions were not so immediately dangerous to her authority, seemed to be actuated by a more unreasonable obstinacy, and to retain claims, of which, both in civil and ecclesiastical matters, it was as yet difficult to discern the full scope and intention. Some secret attempts of

that sect to establish a separate congregation and discipline, had been carefully repressed in the beginning of this reign;[*] and when any of the established clergy discovered a tendency to their principles, by omitting the legal habits or ceremonies, the queen had shown a determined resolution to punish them by fines and deprivation;[**] though her orders to that purpose had been frequently eluded, by the secret protection which these sectaries received from some of her most considerable courtiers.

But what chiefly tended to gain Elizabeth the hearts of her subjects, was her frugality, which, though carried sometimes to an extreme, led her not to amass treasures, but only to prevent impositions upon her people, who were at that time very little accustomed to bear the burdens of government. By means of her rigid economy, she paid all the debts which she found on the crown, with their full interest; though some of these debts had been contracted even during the reign of her father.[***] Some loans, which she had exacted at the commencement of her reign, were repaid by her; a practice in that age somewhat unusual;[****] and she established her credit on such a footing, that no sovereign in Europe could more readily command any sum which the public exigencies might at any time require.[v] During this peaceable and uniform government, England furnishes few materials for history; and except the small part which Elizabeth took in foreign transactions, there scarcely passed any occurrence which requires a particular detail.

* Strype's Life of Parker, p. 342. Strype's Life of Grindal, p. 315.

** Heylin, p. 165, 166.

*** D'Ewes, p. 245. Camden, p. 446.

**** D'Ewes, p. 245.

v D'Ewes, p. 246.

The most memorable event in this period was a session of parliament, held on the eighth of February, 1576; where debates were started which may appear somewhat curious and singular. Peter Wentworth, a Puritan, who had signalized himself in former parliaments by his free and undaunted spirit, opened this session with a premeditated harangue, which drew on him the indignation of the house, and gave great offence to the queen and the ministers. As it seems to contain a rude sketch of those principles of liberty which happily gained afterwards the ascendant in England, it may not be improper to give, in a few words, the substance of it. He premised, that the very name of liberty is sweet; but the thing itself is precious beyond the most inestimable treasures and that it behoved them to be careful, lest, contenting themselves with the sweetness of the name, they forego the substance, and abandon what of all earthly possessions was of the highest value to the kingdom. He then proceeded to observe, that freedom of speech in that house,—a privilege so useful both to sovereign and subject,—had been formerly infringed in many essential articles, and was at present exposed to the most imminent danger: that it was usual, when any subject of importance was handled, especially if it regarded religion, to surmise, that these topics were disagreeable to the queen, and that the further proceeding in them would draw down her indignation upon their temerity: that Solomon had justly affirmed the king's displeasure to be a messenger of death; and it was no wonder if men, even though urged by motives of conscience and duty, should be inclined to stop short when they found themselves exposed to so severe a penalty: that by the employing of this argument, the house was incapacitated from serving their country, and even from

serving the queen herself, whose ears, besieged by pernicious flatterers, were thereby rendered inaccessible to the most salutary truths: that it was a mockery to call an assembly a parliament, yet deny it that privilege which was so essential to its being, and without which it must degenerate into an abject school of servility and dissimulation: that as the parliament was the great guardian of the laws, they ought to have liberty to discharge their trust, and to maintain that authority whence even kings themselves derive their being: that a king was constituted such by law, and though he was not dependent on man, yet was he subordinate to God and the law, and was obliged to make their prescriptions, not his own will, the rule of his conduct: that even his commission, as God's vicegerent, enforced, instead of loosening this obligation; since he was thereby invested with authority to execute on earth the will of God, which is nothing but law and justice: that though these surmises of displeasing the queen by their proceedings, had impeached, in a very essential point, all freedom of speech,—a privilege granted them by a special law,—yet was there a more express and more dangerous invasion made on their liberties, by frequent messages from the throne: that it had become a practice, when the house was entering on any question, either ecclesiastical or civil, to bring an order from the queen, inhibiting them absolutely from treating of such matters, and debarring them from all further discussion of these momentous articles: that the prelates, emboldened by her royal protection, had assumed a decisive power in all questions of religion, and required that every one should implicitly submit his faith to their arbitrary determinations: that the love which he bore his sovereign forbade him to be silent under such abuses, or to sacrifice, on this important occasion, his duty to servile flattery and complaisance; and that, as no earthly creature was exempt from fault, so neither was the queen herself; but, in imposing this servitude on her faithful commons, had committed a great and even dangerous fault against herself and the whole commonwealth.[*]

It is easy to observe from this speech, that, in this dawn of liberty, the parliamentary style was still crude and unformed; and that the proper decorum of attacking ministers and counsellors, without interesting the honor of the crown, or mentioning the person of the sovereign, was not yet entirely established. The commons expressed great displeasure at this unusual license; they sequestered Wentworth from the house, and committed him prisoner to the serjeant at arms. They even ordered him to be examined by a committee, consisting of all those members who were also members of the privy council; and a report to be next day made to the house. This committee met in the star chamber, and, wearing the aspect of that arbitrary court, summoned Wentworth to appear before them, and answer for his behavior. But though the commons had discovered so little delicacy or precaution in thus confounding their own authority with that of the star chamber, Wentworth better understood the principles of liberty, and refused to give these counsellors any account of his conduct in parliament, till he were satisfied that they acted, not as members of the privy council, but as a committee of the house.[**] He justified his liberty of speech by pleading the rigor and hardship of the queen's messages; and notwithstanding that the committee showed him, by instances in other reigns, that the practice of sending such messages was not unprecedented, he would not agree to express any sorrow or repentance. The issue of the affair was, that after a month's confinement, the queen sent to the commons, informing them, that, from her special grace and favor, she had restored him to his liberty and to his place in the house.[***]

* D'Ewes, p. 236, 237, etc.

** D'Ewes, p. 244.

*** D'Ewes, p. 241.

By this seeming lenity, she indirectly retained the power which she had assumed, of imprisoning the members and obliging them to answer before her for their conduct in parliament. And Sir Walter Mildmay endeavored to make the house sensible of her majesty's goodness, in so gently remitting the indignation which she might justly conceive at the temerity of their member; but he informed them, that they had not the liberty of speaking what and of whom they pleased; and that indiscreet freedoms used in that house, had, both in the present and foregoing ages, met with a proper chastisement. He warned them, therefore, not to abuse further the queen's clemency, lest she be constrained, contrary to her inclination, to turn an unsuccessful lenity into a necessary severity.[*]

The behavior of the two houses was, in every other respect, equally tame and submissive. Instead of a bill, which was at first introduced,[**] for the reformation of the church, they were contented to present a petition to her majesty for that purpose; and when she told them, that she would give orders to her bishops to amend all abuses, and, if they were negligent, she would herself, by her supreme power and authority over the church, give such redress as would entirely satisfy the nation, the parliament willingly acquiesced in this sovereign and peremptory decision.[***]

Though the commons showed so little spirit in opposing the authority of the crown, they maintained, this session, their dignity against an encroachment of the peers, and would not agree to a conference which, they thought, was demanded of them in an irregular manner. They acknowledged, however, with all humbleness, (such is their expression,) the superiority of the lords: they only refused to give that house any reason for their proceedings; and asserted, that where they altered a bill sent them by the peers, it belonged to them to desire a conference, not to the upper house to require it.[****]

*	D'Ewes,	p.	259.
**	D'Ewes,	p.	252.
***	D'Ewes,	p.	257.
****	D'Ewes,	p.	263.

The commons granted an aid of one subsidy and two fifteenths. Mildmay, in order to satisfy the house concerning the reasonableness of this grant, entered into a detail of the queen's past expenses in supporting the government, and of the increasing charges of the crown, from the daily increase in the price of all commodities. He did not, however, forge to admonish them, that they were to regard this detail as the pure effect of the queen's condescension, since she was not bound to give them any account how she employed her treasure.[*]

*	D'Ewes,	p.	246.

CHAPTER XLI.

ELIZABETH.

1580.

The greatest and most absolute security that Elizabeth enjoyed during her whole reign, never exempted her from vigilance and attention; but the scene began now to be more overcast, and dangers gradually multiplied on her from more than one quarter.

The earl of Morton had hitherto retained Scotland in strict alliance with the queen, and had also restored domestic tranquility to that kingdom; but it was not to be expected, that the factitious and legal authority of a regent would long maintain itself in a country unacquainted with law and order; where even the natural dominion of hereditary princes so often met with opposition and control. The nobility began anew to break into factions; the people were disgusted with some instances of Morton's avarice; and the clergy, who complained of further encroachments on their narrow revenue, joined and increased the discontent of the other orders. The regent was sensible of his dangerous situation; and having dropped some peevish expressions, as if he were willing or desirous to resign, the noblemen of the opposite party, favorites of the young king, laid hold of this concession, and required that demission which he seemed so frankly to offer them. James was at this time but eleven years of age; yet Morton, having secured himself, as he imagined, by a general pardon, resigned his authority into the hands of the king, who pretended to conduct in his own name the administration of the kingdom. The regent retired from the government, and seemed to employ himself entirely in the care of his domestic affairs; but either tired with this tranquillity, which appeared insipid after the agitations of ambition, or thinking it time to throw off dissimulation, he came again to court, acquired an ascendant in the council, and though he resumed not the title of regent, governed with the same authority as before. The opposite party, after holding separate conventions, took to arms, on pretence of delivering their prince from captivity, and restoring him to the free exercise of his government: Queen Elizabeth interposed by her ambassador, Sir Robert Bowes, and mediated an agreement between the factions: Morton kept possession of the government; but his enemies were numerous and vigilant, and his authority seemed to become every day more precarious.

The count d'Aubigney, of the house of Lenox, cousin-german to the king's father, had been born and educated in France; and being a young man of good address and a sweet disposition, he appeared to the duke of Guise a proper instrument for detaching James from the English interest, and connecting him with his mother and her relations. He no sooner appeared at Stirling, where James resided, than he acquired the affections of the young monarch; and joining his interests with those of James Stuart, of the house of Ochiltree, a man of profligate manners, who had acquired the king's favor, he employed himself, under the appearance of play and amusement, in instilling into the tender mind of the prince new sentiments of politics and government. He represented to him the injustice which had been done to Mary in her deposition, and made him entertain thoughts either of resigning the crown into her hands, or of associating her with him in the administration.[*] Elizabeth, alarmed at the danger which might ensue from the prevalence of this interest in Scotland, sent anew Sir Robert Bowes to Stirling; and accusing D'Aubigney, now created earl of Lenox, of an attachment to the French, warned James against entertaining such suspicious and dangerous connections.[**]

* Digges, p. 412, 428. Melvil, p. 130.

** Spotswood, p. 309.

The king excused himself by Sir Alexander Hume, his ambassador; and Lenox, finding that the queen had openly declared against him, was further confirmed in his intention of overturning the English interest, and particularly of ruining Morton, who was regarded as the head of it. That nobleman was arrested in council, accused as an accomplice in the late king's murder, committed to prison, brought to trial, and condemned to suffer as a traitor. He confessed that Bothwell had communicated to him the design, had pleaded Mary's consent, and had desired his concurrence; but he denied that he himself had ever expressed any approbation of the crime; and in excuse for his concealing it, he alleged the danger of revealing the secret, either

to Henry, who had no resolution nor constancy, or Morton, who appeared to be an accomplice in the murder.[*]

* Spotswood, p. 314, Crawford, p. 333. Moyse's Memoirs, Spotswood, p. 312. t Digge, p. 359. 373.

Sir Thomas Randolph was sent by the queen to intercede in favor of Morton; and that ambassador, not content with discharging this duty of his function, engaged, by his persuasion, the earls of Argyle, Montrose, Angus, Marre, and Glencairne, to enter into a confederacy for protecting, even by force of arms, the life of the prisoner. The more to overawe that nobleman's enemies, Elizabeth ordered forces to be assembled on the borders of England; but this expedient served only to hasten his sentence and execution. Morton died with that constancy and resolution which had attended him through all the various events of his life; and left a reputation which was less disputed with regard to abilities than probity and virtue. But this conclusion of the scene happened not till the subsequent year.

Elizabeth was, during this period, extremely anxious on account of every revolution in Scotland; both because that country alone, not being separated from England by sea, and bordering on all the Catholic and malecontent counties, afforded her enemies a safe and easy method of attacking her; and because she was sensible that Mary, thinking herself abandoned by the French monarch, had been engaged by the Guises to have recourse to the powerful protection of Philip, who, though he had not yet come to an open rupture with the queen, was every day, both by the injuries which he committed and suffered, more exasperated against her. That he might retaliate the assistance which she gave to his rebels in the Low Countries, he had sent, under the name of the pope; a body of seven hundred Spaniards and Italians into Ireland; where the inhabitants, always turbulent, and discontented with the English government, were now more alienated by religious prejudices, and were ready to join every invader. The Spanish general, San Josepho, built a fort in Kerry; and being there besieged by the earl of Ormond, president of Munster, who was soon after joined by Lord Gray, the deputy, he made a weak and cowardly defence. After some assaults, feebly sustained, he surrendered at discretion; and Gray, who commanded but a small force, finding himself encumbered with so many prisoners, put all the Spaniards and Italians to the sword without mercy, and hanged about fifteen hundred of the Irish; a cruelty which gave great displeasure to Elizabeth.[*]

When the English ambassador made complaints of this invasion, he was answered by like complaints of the piracies committed by Francis Drake, a bold seaman, who had assaulted the Spaniards in the place where they deemed themselves most secure—in the new world. This man, sprung from mean parents in the county of Devon, having acquired considerable riches by depredations made in the Isthmus of Panama, and having there gotten a sight of the Pacific Ocean, was so stimulated by ambition and avarice, that he scrupled not to employ his whole fortune in a new adventure through those seas, so much unknown at that time to all the European nations.[**] By means of Sir Christopher Hatton, then vice-chamberlain, a great favorite of the queen's, he obtained her consent and approbation; and he set sail from Plymouth in 1577, with four ships and a pinnace, on board of which were one hundred and sixty-four able sailors.[***] He passed into the South Sea by the Straits of Magellan; and attacking the Spaniards, who expected no enemy in those quarters, he took many rich prizes, and prepared to return with the booty which he had acquired. Apprehensive of being intercepted by the enemy, if he took the same way homewards by which he had reached the Pacific Ocean, he attempted to find a passage by the north of California; and failing in that enterprise, he set sail for the East Indies, and returned safely this year, by the Cape of Good Hope. He was the first Englishman who sailed round the globe; and the first commander-in-chief; for Magellan, whose ship executed the same adventure, died in his passage. His name

became celebrated on account of so bold and fortunate an attempt; but many, apprehending the resentment of the Spaniards, endeavored to persuade the queen, that it would be more prudent to disavow the enterprise, to punish Drake, and to restore the treasure. But Elizabeth, who admired valor, and who was allured by the prospect of sharing in the booty, determined to countenance that gallant sailor: she conferred on him the honor of knighthood, and accepted of a banquet from him at Deptford, on board the ship which had achieved so memorable a voyage.

* Camden, p. 475. Cox's Hist, of Ireland, p. 368.

** Camden, p. 478. Stowe, p. 689.

** Camden, p. 478. Hakluyt's Voyages, vol. iii. p. 750 Purchas's Pilgrim, vol. i. p. 46.

When Philip's ambassador, Mendoza, exclaimed against Drake's piracies, she told him, that the Spaniards, by arrogating a right to the whole new world, and excluding thence all other European nations who should sail thither, even with a view of exercising the most lawful commerce, naturally tempted others to make a violent irruption into those countries.[*] To pacify, however, the Catholic monarch, she caused part of the booty to be restored to Pedro Sebura, a Spaniard, who pretended to be agent for the merchants whom Drake had spoiled. Having learned afterwards that Philip had seized the money, and had employed part of it against herself in Ireland, part of it in the pay of the prince of Parma's troops she determined to make no more restitutions.

1581.

There was another cause which induced the queen to take this resolution: she was in such want of money, that she was obliged to assemble a parliament; a measure which, as she herself openly declared, she never embraced except when constrained by the necessity of her affairs. The parliament, besides granting her a supply of one subsidy and two fifteenths, enacted some statutes for the security of her government, chiefly against the attempts of the Catholics. Whoever in any way reconciled any one to the church of Rome, or was himself reconciled, was declared to be guilty of treason; to say mass was subjected to the penalty of a year's imprisonment and a fine of two hundred marks; the being present was punishable by a year's imprisonment and a fine of a hundred marks: a fine of twenty pounds a month was imposed on every one who continued, during that time, absent from church.[**] To utter slanderous or seditious words against the queen was punishable, for the first offence, with the pillory and loss of ears; the second offence was declared felony; the writing or printing of such words was felony, even on the first offence.[***] The Puritans prevailed so far as to have further applications made for reformation in religion:[****] and Paul Wentworth, brother to the member of that name who had distinguished himself in the preceding session, moved, that the commons, from their own authority, should appoint a general fast and prayers; a motion to which the house unwarily assented. For this presumption they were severely reprimanded by a message from the queen, as encroaching on the royal prerogative and supremacy; and they were obliged to submit, and ask forgiveness.[v]

* Camden, p. 480.

** 23 Eliz. cap. 1.

*** 23 Eliz. cap. 2.

****	D'Ewes,	p.	302.
v	Camden,	p.	477.

The queen and parliament were engaged to pass these severe laws against the Catholics, by some late discoveries of the treasonable practices of their priests. When the ancient worship was suppressed, and the reformation introduced into the universities, the king of Spain reflected, that as some species of literature was necessary for supporting these doctrines and controversies, the Romish communion must decay in England, if no means were found to give erudition to the ecclesiastics; and for this reason he founded a seminary at Douay, where the Catholics sent their children, chiefly such as were intended for the priesthood, in order to receive the rudiments of their education. The cardinal of Lorraine imitated this example, by erecting a like seminary in his diocese of Rheims; and though Rome was somewhat distant, the pope would not neglect to adorn, by a foundation of the same nature, that capital of orthodoxy. These seminaries, founded with so hostile an intention, sent over, every year, a colony of priests, who maintained the Catholic superstition in its full height of bigotry; and being educated with a view to the crown of martyrdom, were not deterred, either by danger or fatigue, from maintaining and propagating their principles. They infused into all their votaries an extreme hatred against the queen, whom they treated as a usurper, a schismatic, a heretic, a persecutor of the orthodox, and one solemnly and publicly anathematized by the holy father. Sedition, rebellion, sometimes assassination, were the expedients by which they intended to effect their purposes against her; and the severe restraint, not to say persecution, under which the Catholics labored, made them the more willingly receive from their ghostly fathers such violent doctrines.

These seminaries were all of them under the direction of the Jesuits, a new order of regular priests erected in Europe, when the court of Rome perceived that the lazy monks and beggarly friars, who sufficed in times of ignorance, were no longer able to defend the ramparts of the church, assailed on every side, and that the inquisitive spirit of the age required a society more active and more learned to oppose its dangerous progress. These men as they stood foremost in the contest against the Protestants, drew on them the extreme animosity of that whole sect; and, by assuming a superiority over the other more numerous and more ancient orders of their own communion, were even exposed to the envy of their brethren: so that it is no wonder, if the blame to which their principles and conduct might be exposed, has, in many instances, been much exaggerated. This reproach, however, they must bear from posterity, that, by the very nature of their institution, they were engaged to pervert learning, the only effectual remedy against superstition, into a nourishment of that infirmity: and as their erudition was chiefly of the ecclesiastical and scholastic kind, (though a few members have cultivated polite literature,) they were only the more enabled by that acquisition to refine away the plainest dictates of morality, and to erect a regular system of casuistry, by which prevarication, perjury, and every crime, when it served their ghostly purposes, might be justified and defended.

The Jesuits, as devoted servants to the court of Rome, exalted the prerogative of the sovereign pontiff above all earthly power; and by maintaining his authority of deposing kings, set no bounds either to his spiritual or temporal jurisdiction. This doctrine became so prevalent among the zealous Catholics in England, that the excommunication fulminated against Elizabeth excited many scruples of a singular kind, to which it behoved the holy father to provide a remedy. The bull of Pius, in absolving the subjects from their oaths of allegiance, commanded them to resist the queen's usurpation; and many Romanists were apprehensive, that by this clause they were obliged in conscience, even though no favorable opportunity offered, to rebel against her, and that no dangers or difficulties could free them from this indispensable duty.

But Parsons and Campion, two Jesuits, were sent over with a mitigation and explanation of the doctrine; and they taught their disciples, that though the bull was forever binding on Elizabeth and her partisans, it did not oblige the Catholics to obedience except when the sovereign pontiff should think proper, by a new summons, to require it. Campion was afterwards detected in treasonable practices; and being put to the rack, and confessing his guilt, he was publicly executed. His execution was ordered at the very time when the duke of Anjou was in England, and prosecuted, with the greatest appearance of success, his marriage with the queen; and this severity was probably intended to appease her Protestant subjects, and to satisfy them, that whatever measures she might pursue, she never would depart from the principles of the reformation.

The duke of Alençon, now created duke of Anjou, had never entirely dropped his pretensions to Elizabeth; and that princess, though her suitor was near twenty-five years younger than herself, and had no knowledge of her person but by pictures or descriptions, was still pleased with the image, which his addresses afforded her, of love and tenderness. The duke, in order to forward his suit, besides employing his brother's ambassador, sent over Simier, an agent of his own; an artful man, of an agreeable conversation, who soon remarking the queen's humor, amused her with gay discourse, and instead of serious political reasonings, which he found only awakened her ambition, and hurt his master's interests, he introduced every moment all the topics of passion and of gallantry. The pleasure which she found in this man's company soon produced a familiarity between them; and amidst the greatest hurry of business, her most confidential ministers had not such ready access to her as had Simier, who, on pretence of negotiation, entertained her with accounts of the tender attachment borne her by the duke of Anjou. The earl of Leicester, who had never before been alarmed with any courtship paid her, and who always trusted that her love of dominion would prevail over her inclination to marriage, began to apprehend that she was at last caught in her own snare, and that the artful encouragement which she had given to this young suitor had unawares engaged her affections. To render Simier odious, he availed himself of the credulity of the times, and spread reports, that that minister had gained an ascendant over the Queen, not by any natural principles of her constitution, but by incantations and love potions. Simier, in revenge, endeavored to discredit Leicester with the queen; and he revealed to her a secret, which none of her courtiers dared to disclose, that this nobleman was secretly, without her consent, married to the widow of the earl of Essex; an action which the queen interpreted either to proceed from want of respect to her, or as a violation of their mutual attachment; and which so provoked her, that she threatened to send him to the Tower.[*]

* Camden, p. 471.

The quarrel went so far between Leicester and the French agent, that the former was suspected of having employed one Tudor, a bravo, to take away the life of his enemy and the queen thought it necessary, by proclamation, to take Simier under her immediate protection. It happened, that while Elizabeth was rowed in her barge on the Thames, attended by Simier and some of her courtiers, a shot was fired, which wounded one of the bargemen; but the queen, finding, upon inquiry, that the piece had been discharged by accident, gave the person his liberty without further punishment. So far was she from entertaining any suspicion against her people, that she was often heard to say, "that she would lend credit to nothing against them, which parents would not believe of their own children."[*]

The duke of Anjou, encouraged by the accounts sent him of the queen's prepossessions in his favor, paid her secretly a visit at Greenwich; and after some conference with her, the purport of which is not known, he departed. It appeared that, though his figure; was not advantageous, he had lost no ground by being personally known to her; and soon after, she commanded Burleigh,

now treasurer, Sussex, Leicester, Bedford, Lincoln, Hatton, and Secretary Walsingham, to concert with the French ambassadors the terms of the intended contract of marriage. Henry had sent over, on this occasion, a splendid embassy, consisting of Francis de Bourbon, prince of Dauphiny, and many considerable noblemen; and as the queen had in a manner the power of prescribing what terms she pleased, the articles were soon settled with the English commissioners. It was agreed, that the marriage should be celebrated within six weeks after the ratification of the articles; that the duke and his retinue should have the exercise of their religion; that after the marriage he should bear the title of king, but the administration remain solely in the queen; that their children, male or female, should succeed to the crown of England; that if there be two males, the elder, in case of Henry's death without issue, should be king of France, the younger of England; that if there be but one male, and he succeed to the crown of France, he should be obliged to reside in England eight months every two years; that the laws and customs of England should be preserved inviolate; and that no foreigner should be promoted by the duke to any office in England.[**]

*	Camden.	p.	471.
**	Camden,	p.	484.

These articles, providing for the security of England in case of its annexation to the crown of France, opened but a dismal prospect to the English, had not the age of Elizabeth, who was now in her forty-ninth year, contributed very much to allay their apprehensions of this nature. The queen also, as a proof of her still remaining uncertainty, added a clause, that she was not bound to complete the marriage, till further articles, which were not specified, should be agreed on between the parties, and till the king of France be certified of this agreement. Soon after, the queen sent over Walsingham as ambassador to France, in order to form closer connections with Henry, and enter into a league offensive and defensive against the increasing power and dangerous usurpations of Spain. The French king, who had been extremely disturbed with the unquiet spirit, the restless ambition, the enterprising, yet timid and inconstant disposition of Anjou, had already sought to free the kingdom from his intrigues, by opening a scene for his activity in Flanders; and having allowed him to embrace the protection of the states, had secretly supplied him with men and money for the undertaking. The prospect of settling him in England was for a like reason very agreeable to that monarch; and he was desirous to cultivate, by every expedient, the favorable sentiments which Elizabeth seemed to entertain towards him. But this princess, though she had gone further in her amorous dalliance[*] than could be justified or accounted for by any principles of policy, was not yet determined to carry matters to a final conclusion; and she confined Walsingham, in his instructions, to negotiating conditions of a mutual alliance between France and England.[**] Henry with reluctance submitted to hold conferences on that subject; but no sooner had Walsingham begun to settle the terms of alliance, than he was informed, that the queen, foreseeing hostility with Spain to be the result of this confederacy, had declared that she would prefer the marriage with the war, before the war without the marriage.[***] The French court, pleased with this change of resolution, broke off the conferences concerning the league, and opened a negotiation for the marriage.[****] But matters had not long proceeded in this train, before the queen again declared for the league in preference to the marriage, and ordered Walsingham to renew the conferences for that purpose. Before he had leisure to bring this point to maturity, he was interrupted by a new change of resolution; [v] and not only the court of France, but Walsingham himself, Burleigh, and all the wisest ministers of Elizabeth, were in amazement doubtful where this contest between inclination and reason love and ambition, would at last terminate.[v*] 17

* Digges, p. 387, 396, 408, 426.

** Digges, p. 352.

*** Digges, p. 375, 391.

**** Digges, p. 392.

v Digges, p. 408.

v* See note Q, at the end of the volume.

In the course of this affair, Elizabeth felt another variety of intentions, from a new contest between her reason and her ruling passions. The duke of Anjou expected from her some money, by which he might be enabled to open the campaign in Flanders; and the queen herself, though her frugality made her long reluctant, was sensible that this supply was necessary, and she was at last induced, after much hesitation, to comply with his request.[*] She sent him a present of a hundred thousand crowns; by which, joined to his own demesnes, and the assistance of his brother and the queen dowager, he levied an army, and took the field against the prince of Parma. He was successful in raising the siege of Cambray; and being chosen by the states governor of the Netherlands, he put his army into winter quarters, and came over to England, in order to prosecute his suit to the queen. The reception which he met with made him expect entire success, and gave him hopes that Elizabeth had surmounted all scruples, and was finally determined to make choice of him for her husband. In the midst of the pomp which attended the anniversary of her coronation, she was seen, after long and intimate discourse with him, to take a ring from her own finger, and to put it upon his; and all the spectators concluded, that in this ceremony she had given him a promise of marriage, and was even desirous of signifying her intentions to all the world. St. Aldegonde, ambassador from the states, despatched immediately a letter to his masters, informing them of this great event; and the inhabitants of Antwerp, who, as well as the other Flemings, regarded the queen as a kind of titular divinity, testified their joy by bonfires and the discharge of their great ordnance.[**]

* Digges, p. 357, 387, 388, 409, 426, 439. Rymer. xv. p. 793.

** Camden, p. 486. Thuan. lib. lxxiv.

A Puritan of Lincoln's Inn had written a passionate book, which he entitled, "The Gulph in which England will be swallowed by the French Marriage." He was apprehended and prosecuted by order of the queen, and was condemned to lose his right hand as a libeller. Such was the constancy and loyalty of the man, that immediately after the sentence was executed, he took off his hat with his other hand, and waving it over his head, cried, God save the queen.

But notwithstanding this attachment which Elizabeth so openly discovered to the duke of Anjou, the combat of her sentiments was not entirely over; and her ambition, as well as prudence, rousing itself by intervals, still filled her breast with doubt and hesitation. Almost all the courtiers whom she trusted and favored—Leicester, Hatton, and Walsingham—discovered an extreme aversion to the marriage; and the ladies of her bed-chamber made no scruple of opposing her resolution with the most zealous remonstrances.[*]

* Camden, p. 486.

Among other enemies to the match, Sir Philip, son of Sir Henry Sidney, deputy of Ireland, and nephew to Leicester, a young man the most accomplished of the age, declared himself: and he used the freedom to write her a letter, in which he dissuaded her from her present resolution, with an unusual elegance of expression, as well as force of reasoning. He told her, that the security of her government depended entirely on the affections of her Protestant subjects; and she could not, by any measure, more effectually disgust them, than by espousing a prince who was son of the perfidious Catharine, brother to the cruel and perfidious Charles, and who had himself imbrued his hands in the blood of the innocent and defenceless Protestants: that the Catholics were her mortal enemies, and believed, either that she had originally usurped the crown, or was now lawfully deposed by the pope's bull of excommunication; and nothing had ever so much elevated their hopes as the prospect of her marriage with the duke of Anjou: that her chief security at present against the efforts of so numerous, rich, and united a faction, was, that they possessed no head who could conduct their dangerous enterprises; and she herself was rashly supplying that defect, by giving an interest in the kingdom to a prince whose education had zealously attached him to that communion: that though he was a stranger to the blood royal of England, the dispositions of men were now such, that they preferred the religious to the civil connections; and were more influenced by sympathy in theological opinions, than by the principles of legal and hereditary government: that the duke himself had discovered a very restless and turbulent spirit; and having often violated his loyalty to his elder brother and his sovereign, there remained no hopes that he would passively submit to a woman, whom he might, in quality of husband, think himself entitled to command: that the French nation, so populous, so much abounding in soldiers, so full of nobility who were devoted to arms, and for some time accustomed to serve for plunder, would supply him with partisans, dangerous to a people unwarlike and defenceless like the generality of her subjects: that the plain and honorable path which she had followed, of cultivating the affections of her people, had hitherto rendered her reign secure and happy; and however her enemies might seem to multiply upon her, the same invincible rampart was still able to protect and defend her: that so long as the throne of France was filled by Henry or his posterity, it was in vain to hope that the ties of blood would insure the amity of that kingdom, preferably to the maxims of policy or the prejudices of religion: and if ever the crown devolved on the duke of Anjou, the conjunction of France and England would prove a burden, rather than a protection, to the latter kingdom: that the example of her sister Mary was sufficient to instruct her in the danger of such connections; and to prove, that the affection and confidence of the English could never be maintained, where they had such reason to apprehend that their interests would every moment be sacrificed to those of a foreign and hostile nation: that notwithstanding these great inconveniences, discovered by past experience, the house of Burgundy, it must be confessed, was more popular in the nation than the family of France; and, what was of chief moment, Philip was of the same communion with Mary, and was connected with her by this great band of interest and affection: and that however the queen might remain childless, even though old age should grow upon her, the singular felicity and glory of her reign would preserve her from contempt; the affections of her subjects, and those of all the Protestants in Europe, would defend her from danger; and her own prudence, without other aid or assistance, would baffle all the efforts of her most malignant enemies.[*]

* Letters of the Sidneys, vol i. p. 287, et seq. Cabala, p. 363

1582.

These reflections kept the queen in great anxiety and irresolution; and she was observed to pass several nights without any sleep or repose. At last her settled habits of prudence and

ambition prevailed over her temporary inclination; and having sent for the duke of Anjou, she had a long conference with him in private, where she was supposed to have made him apologies for breaking her former engagements. He expressed great disgust on his leaving her; threw away the ring which she had given him; and uttered many curses on the mutability of women and of islanders.[*] Soon after, he went over to his government of the Netherlands; lost the confidence of the states by a rash and violent attempt on their liberties; was expelled that country; retired into France; and there died. The queen, by timely reflection, saved herself from the numerous mischiefs which must have attended so imprudent a marriage: and the distracted state of the French monarchy prevented her from feeling any effects of that resentment which she had reason to dread from the affront so wantonly put upon that royal family.

The anxiety of the queen from the attempts of the English Catholics never ceased during the whole course of her reign; but the variety of revolutions which happened in all the neighboring kingdoms, were the source, sometimes of her hopes, sometimes of her apprehensions. This year the affairs of Scotland strongly engaged her attention. The influence which the earl of Lenox, and James Stuart, who now assumed the title of earl of Arran, had acquired over the young king, was but a slender foundation of authority; while the generality of the nobles, and all the preachers, were so much discontented with their administration. The assembly of the church appointed a solemn fast; of which one of the avowed reasons was, the danger to which the king was exposed from the company of wicked persons: [**] and on that day the pulpits resounded with declamations against Lenox, Arran, and all the present counsellors. When the minds of the people were sufficiently prepared by these lectures, a conspiracy of the nobility was formed, probably with the concurrence of Elizabeth, for seizing the person of James at Ruthven, a seat of the earl of Gowry's; and the design, being kept secret, succeeded without any opposition.

* Camden, p. 486.

** Spotswood, p. 319., Spotswood, p. 320.

The leaders in this enterprise were the earl of Gowry himself, the earl of Marre, the lords Lindesey and Boyd, the masters of Glamis and Oliphant, the abbots of Dunfermling, Paisley, and Cambuskenneth. The king wept when he found himself detained a prisoner but the master of Glamis said, "No matter for his tears, better that boys weep than bearded men;" an expression which James could never afterwards forgive. But notwithstanding his resentment, he found it necessary to submit to the present necessity. He pretended an entire acquiescence in the conduct of the associators; acknowledged the detention of his person to be acceptable service; and agreed to summon both an assembly of the church and a convention of estates, in order to ratify that enterprise.

The assembly, though they had established it as an inviolable rule, that the king on no account, and under no pretence, should ever intermeddle in ecclesiastical matters, made no scruple of taking civil affairs under their cognizance, and of deciding, on this occasion, that the attempt of the conspirators was acceptable to all that feared God, or tendered the preservation of the king's person, and prosperous state of the realm. They even enjoined all the clergy to recommend these sentiments from the pulpit; and they threatened with ecclesiastical censures every man who should oppose the authority of the confederated lords.[*] The convention, being composed chiefly of these lords themselves, added their sanction to these proceedings. Arran was confined a prisoner in his own house: Lenox, though he had power to resist, yet, rather than raise a civil war, or be the cause of bloodshed,[**] chose to retire into France, where he soon after died. He persevered to the last in the Protestant religion, to which James had converted him, but which the Scottish clergy could never be persuaded that he had

sincerely embraced. The king sent for his family, restored his son to his paternal honors and estate, took care to establish the fortunes of all his other children, and to his last moments never forgot the early friendship which he had borne their father; a strong proof of the good dispositions of that prince.[***]

* Spotswood, p. 322.

** Heylin's Hist. Presbyter, p. 227. Spotswood.

*** Spotswood, p. 328.

No sooner was this revolution known in England, than the queen sent Sir Henry Gary and Sir Robert Bowes to James in order to congratulate him on his deliverance from the pernicious counsels of Lenox and Arran; to exhort him not to resent the seeming violence committed on him by the confederated lords; and to procure from him permission for the return of the earl of Angus, who ever since Morton's fall had lived in England. They easily prevailed in procuring the recall of Angus; and as James suspected, that Elizabeth had not been entirely unacquainted with the project of his detention, he thought proper, before the English ambassadors, to dissemble his resentment against the authors of it.

1583.

Soon after, La Mothe-Fenelon and Menneville appeared as ambassadors from France: their errand was to inquire concerning the situation of the king, make professions of their master's friendship, confirm the ancient league with France, and procure an accommodation between James and the queen of Scots. This last proposal gave great umbrage to the clergy; and the assembly voted the settling of terms between the mother and son to be a most wicked undertaking. The pulpits resounded with declamations against the French ambassadors; particularly Fenelon, whom they called the messenger of the bloody murderer, meaning the duke of Guise: and as that minister, being knight of the Holy Ghost, wore a white cross on his shoulder, they commonly denominated it, in contempt, the badge of Antichrist. The king endeavored, though in vain, to repress these insolent reflections; but in order to make the ambassadors some compensation, he desired the magistrates of Edinburgh to give them a splendid dinner before their departure. To prevent this entertainment, the clergy appointed that very day for a public fast; and finding that their orders were not regarded, they employed their sermons in thundering curses on the magistrates, who, by the king's direction, had put this mark of respect on the ambassadors. They even pursued them afterwards with the censures of the church; and it was with difficulty they were prevented from issuing the sentence of excommunication against them, on account of their submission to royal, preferably to clerical authority.[*]

* Spotswood, p. 324.

What increased their alarm with regard to an accommodation between James and Mary was, that the English ambassadors seemed to concur with the French in this proposal; and the clergy were so ignorant as to believe the sincerity of the professions made by the former. The queen of Scots had often made overtures to Elizabeth, which had been entirely neglected; but hearing of James's detention, she wrote a letter in a more pathetic and more spirited strain than usual; craving the assistance of that princess, both for her own and her son's liberty. She said, that the account of the prince's captivity had excited her most tender concern; and the experience which she herself, during so many years, had of the extreme infelicity attending that situation, had made her the more apprehensive lest a like fate should pursue her unhappy offspring: that

the long train of injustice which she had undergone, the calumnies to which she had been exposed, were so grievous, that finding no place for right or truth among men she was reduced to make her last appeal to Heaven, the only competent tribunal between princes of equal jurisdiction degree, and dignity: that after her rebellious subjects, secretly instigated by Elizabeth's ministers, had expelled her the throne, had confined her in prison, had pursued her with arms, she had voluntarily thrown herself under the protection of England; fatally allured by those reiterated professions of amity which had been made her, and by her confidence in the generosity of a friend, an ally, and a kinswoman; that not content with excluding her from her presence, with supporting the usurpers of her throne, with contributing to the destruction of her faithful subjects, Elizabeth had reduced her to a worse captivity than that from which she had escaped, and had made her this cruel return for the unlimited confidence which she had reposed in her: that though her resentment of such severe usage had never carried her further than to use some disappointed efforts for her deliverance, unhappy for herself, and fatal to others, she found the rigors of confinement daily multiplied upon her; and at length carried to such a height, that it surpassed the bounds of all human patience any longer to endure them; that she was cut off from all communication, not only with the rest of mankind, but with her only son, and her maternal fondness, which was now more enlivened by their unhappy sympathy in situation, and was her sole remaining attachment to this world, deprived even of that melancholy solace which letters or messages could give: that the bitterness of her sorrows, still more than her close confinement, had preyed upon her health, and had added the insufferable weight of bodily infirmity to all those other calamities under which she labored: that while the daily experience of her maladies opened to her the comfortable prospect of an approaching deliverance into a region where pain and sorrow are no more, her enemies envied her that last consolation, and having secluded her from every joy on earth, had done what in them lay to debar her from all hopes in her future and eternal existence: that the exercise of her religion was refused her; the use of those sacred rites in which she had been educated, the commerce with those holy ministers, whom Heaven had appointed to receive the acknowledgment of our transgressions, and to seal our penitence by a solemn readmission into heavenly favor and forgiveness: that it was in vain to complain of the rigors of persecution exercised in other kingdoms; when a queen and an innocent woman was excluded from an indulgence which never yet, in the most barbarous countries, had been denied to the meanest and most obnoxious malefactor: that could she ever be induced to descend from that royal dignity in which Providence had placed her, or depart from her appeal to Heaven, there was only one other tribunal to which she would appeal from all her enemies; to the justice and humanity of Elizabeth's own breast, and to that lenity which, uninfluenced by malignant counsel, she would naturally be induced to exercise towards her: and that she finally entreated her to resume her natural disposition, and to reflect on the support, as well as comfort, which she might receive from her son and herself, if, joining the obligations of gratitude to the ties of blood, she would deign to raise them from their present melancholy situation, and reinstate them in that liberty and authority to which they were entitled.[*]

* Camden, p. 489,

Elizabeth was engaged to obstruct Mary's restoration, chiefly because she foresaw an unhappy alternative attending that event. If this princess recovered any considerable share of authority in Scotland, her resentment, ambition, zeal, and connections both domestic and foreign, might render her a dangerous neighbor to England, and enable her, after suppressing the Protestant party among her subjects, to revive those pretensions which she had formerly advanced to the crown, and which her partisans in both kingdoms still supported with great industry and assurance. If she were reinstated in power with such strict limitations as could not be broken,

she might be disgusted with her situation; and flying abroad, form more desperate attempts than any sovereign, who had a crown to hazard, would willingly undertake. Mary herself, sensible of these difficulties, and convinced by experience that Elizabeth would forever debar her the throne, was now become more humble in her wishes; and as age and infirmities had repressed those sentiments of ambition by which she had formerly been so much actuated, she was willing to sacrifice all her hopes of grandeur, in order to obtain a liberty; a blessing to which she naturally aspired with the fondest impatience. She proposed, therefore, that she should be associated with her son in the title to the crown of Scotland, but that the administration should remain solely in him: and she was content to live in England in a private station, and even under a kind of restraint; but with some more liberty, both for exercise and company, than she had enjoyed since the first discovery of her intrigues with the duke of Norfolk. But Elizabeth, afraid lest such a loose method of guarding her would facilitate her escape into France or Spain, or, at least, would encourage and increase her partisans, and enable her to conduct those intrigues to which she had already discovered so strong a propensity, was secretly determined to deny her requests; and though she feigned to assent to them, she well knew how to disappoint the expectations of the unhappy princess. While Lenox maintained his authority in Scotland, she never gave any reply to all the application made to her by the Scottish queen: at present, when her own creatures had acquired possession of the government, she was resolved to throw the odium of refusal upon them; and pretending that nothing further was required to a perfect accommodation than the concurrence of the council of state in Scotland, she ordered her ambassador, Bowes, to open the negotiation for Mary's liberty, and her association with her son in the title to the crown. Though she seemed to make this concession to Mary she refused her the liberty of sending any ambassador of her own; and that princess could easily conjecture, from this circumstance, what would be the result of the pretended negotiation. The privy council of Scotland, instigated by the clergy, rejected all treaty; and James, who was now a captive in their hands, affirmed, that he had never agreed to an association with his mother, and that the matter had never gone further than some loose proposals for that purpose.[*]

** MS. in the Advocates' Library, A. 3, 28, p. 401, from the Cott Lib. Calig. c. 9.

The affairs of Scotland remained not long in the present situation. James, impatient of restraint, made his escape from his keepers; and flying to St. Andrews, summoned his friends and partisans to attend him. The earls of Argyle, Marshal, Montrose, and Rothes, hastened to pay their duty to their sovereign; and the opposite party found themselves unable to resist so powerful a combination. They were offered a pardon, upon their submission, and an acknowledgment of their fault in seizing the king's person and restraining him from his liberty. Some of them accepted of the terms; the greater number, particularly Angus, Hamilton, Marre, Glamis, left the country, and took shelter in Ireland or England, where they were protected by Elizabeth. The earl of Arran was recalled to court; and the malecontents, who could not brook the authority of Lenox, a man of virtue and moderation, found, that by their resistance, they had thrown all power into the hands of a person whose counsels were as violent as his manners were profligate.[*]

Elizabeth wrote a letter to James, in which she quoted a moral sentence from Isocrates, and indirectly reproached him with inconstancy, and a breach of his engagements. James, in his reply, justified his measures; and retaliated, by turning two passages of Isocrates against her.[**] She next sent Walsingham on an embassy to him; and her chief purpose in employing that aged minister in an errand where so little business was to be transacted, was to learn, from a man of so much penetration and experience, the real character of James. This young prince possessed good parts, though not accompanied with that vigor and industry which his

station required; and as he excelled in general discourse and conversation, Walsingham entertained a higher idea of his talents than he was afterwards found, when real business was transacted, to have fully merited.[***] The account which he gave his mistress induced her to treat James thenceforth with some more regard than she had hitherto been inclined to pay him.

* Spotswood, p. 325, 326, et seq.

** Melvil, p. 140, 141. Strype, vol. iii. p. 156.

*** Melvil, p. 148. Jebb, vol. ii. p. 530.

1584.

The king of Scots, persevering in his present views, summoned a parliament; where it was enacted, that no clergyman should presume in his sermons to utter false, untrue, or scandalous speeches against the king, the council, or the public measures; or to meddle, in an improper manner, with the affairs of his majesty and the states,[*] The clergy, finding that the pulpit would be no longer a sanctuary for them, were extremely offended; they said that the king was become Popish in his heart; and they gave their adversaries the epithets of gross libertines, belly-gods, and infamous persons.[**]

* Spotswood. p. 333

** Spotswood. p. 334.

The violent conduct of Arran soon brought over the popularity to their side. The earl of Gowry, though pardoned for the late attempt, was committed to prison, was tried on some new accusations, condemned, and executed. Many innocent persons suffered from the tyranny of this favorite; and the banished lords, being assisted by Elizabeth, now found the time favorable for the recovery of their estates and authority. After they had been foiled in one attempt upon Stirling, they prevailed in another; and being admitted to the king's presence, were pardoned, and restored to his favor.

Arran was degraded from authority, deprived of that estate and title which he had usurped, and the whole country seemed to be composed to tranquillity. Elizabeth, after opposing during some time the credit of the favorite, had found it more expedient, before his fall, to compound all differences with him, by means of Davison, a minister whom she sent to Scot land; but having more confidence in the lords whom she had helped to restore, she was pleased with this alteration of affairs; and maintained a good correspondence with the new court and ministry of James.

These revolutions in Scotland would have been regarded as of small importance to the repose and security of Elizabeth, had her own subjects been entirely united, and had not the zeal of the Catholics, excited by constraint more properly than persecution, daily threatened her with some dangerous insurrection. The vigilance of the ministers, particularly of Burleigh and Walsingham, was raised in proportion to the activity of the malecontents; and many arts, which had been blamable in a more peaceful government, were employed in detecting conspiracies, and even discovering the secret inclinations of men. Counterfeit letters were written in the name of the queen of Scots, or of the English exiles, and privately conveyed to the houses of the Catholics: spies were hired to observe the actions and discourse of suspected persons: informers were countenanced; and though the sagacity of these two great ministers helped them to distinguish the true from the false intelligence, many calumnies were no doubt

hearkened to, and all the subjects, particularly the Catholics, kept in the utmost anxiety and inquietude. Henry Piercy, earl of Northumberland, brother to the earl beheaded some years before, and Philip Howard, earl of Arundel, son of the unfortunate duke of Norfolk, fell under suspicion; and the latter was, by order of council, confined to his own house. Francis Throgmorton, a private gentleman, was committed to custody, on account of a letter which he had written to the queen of Scots, and which was intercepted. Lord Paget and Charles Arundel, who had been engaged with him in treasonable designs, immediately withdrew beyond sea. Throgmorton confessed that a plan for an invasion and insurrection had been laid; and though, on his trial, he was desirous of retracting this confession, and imputing it to the fear of torture, he was found guilty and executed. Mendoza, the Spanish ambassador, having promoted this conspiracy, was ordered to depart the kingdom; and Wade was sent into Spain, to excuse his dismission, and to desire the king to send another ambassador in his place; but Philip would not so much as admit the English ambassador to his presence. Creighton, a Scottish Jesuit, coming over on board a vessel which was seized, tore some papers with an intention of throwing them into the sea; but the wind blowing them back upon the ship, they were pieced together, and discovered some dangerous secrets.[*]

Many of these conspiracies were, with great appearance of reason, imputed to the intrigues of the queen of Scots; [**] and as her name was employed in all of them, the council thought that they could not use too many precautions against the danger of her claims, and the restless activity of her temper. She was removed from under the care of the earl of Shrewsbury, who, though vigilant and faithful in that trust, had also been indulgent to his prisoner, particularly with regard to air and exercise; and she was committed to the custody of Sir Amias Paulet and Sir Drue Drury; men of honor, but inflexible in their care and attention. An association was also set on foot by the earl of Leicester and other courtiers; and as Elizabeth was beloved by the whole nation, except the more zealous Catholics, men of all ranks willingly flocked to the subscription of it. The purport of this association was to defend the queen, to revenge her death, or any injury committed against her, and to exclude from the throne all claimants, what title soever they might possess, by whose suggestion or for whose behoof any violence should be offered to her majesty,[***] The queen of Scots was sensible that this association was levelled against her; and to remove all suspicion from herself, she also desired leave to subscribe it.

* Camden, p. 499.

** Strype, vol. lii. p. 246.

*** State Trials, vol i. p. 122, 123.

Elizabeth, that she might the more discourage malecontents, by showing them the concurrence of the nation in her favor, summoned a new parliament; and she met with that dutiful attachment which she expected. The association was confirmed by parliament; and a clause was added by which the queen was empowered to name commissioners for the trial of any pretender to the crown, who should attempt or imagine any invasion, insurrection, or assassination against her: upon condemnation pronounced by these commissioners, the guilty person was excluded from all claim to the succession, and was further punishable as her majesty should direct. And for greater security, a council of regency, in case of the queen's violent death, was appointed to govern the kingdom, to settle the succession, and to take vengeance for that act of treason.[*]

A severe law was also enacted against Jesuits and Popish priests: it was ordained, that they should depart the kingdom within forty days; that those who should remain beyond that time,

or should afterwards return, should be guilty of treason; that those who harbored or relieved them should be guilty of felony; that those who were educated in seminaries, if they returned not in six months after notice given, and submitted not themselves to the queen, before a bishop or two justices, should be guilty of treason; and that if any, so submitting themselves, should, within ten years, approach the court, or come within ten miles of it, their submission should be void.[**] By this law, the exercise of the Catholic religion, which had formerly been prohibited under lighter penalties, and which was in many instances connived at, was totally suppressed. In the subsequent part of the queen's reign, the law was sometimes executed by the capital punishment of priests; and though the partisans of that princess asserted that they were punished for their treason, not their religion, the apology must only be understood in this sense, that the law was enacted on account of the treasonable views and attempts of the sect, not that every individual who suffered the penalty of the law was convicted of treason.[***] The Catholics, therefore, might now with justice complain of a violent persecution; which we may safety affirm, in spite of the rigid and bigoted maxims of that age, not to be the best method of converting them, or of reconciling them to the established government and religion.

* 27 Eliz. cap. 1.

* 27 Eliz. cap. 2.

* Some even of those who defend the queen's measures, allow that in ten years fifty priests were executed, and fifty-five banished Camden, p. 649.

The parliament, besides arming the queen with these powers, granted her a supply of one subsidy and two fifteenths. The only circumstance in which their proceedings were disagreeable to her, was an application, made by the commons, for a further reformation in ecclesiastical matters. Yet even in this attempt, which affected her, as well as them, in a delicate point, they discovered how much they were overawed by her authority. The majority of the house were Puritans, or inclined to that sect;[*] but the severe reprimands which they had already, in former sessions, met with from the throne deterred them from introducing any bill concerning religion; a proceeding which would have been interpreted as an encroachment on the prerogative: they were content to proceed by way of humble petition, and that not addressed to her majesty, which would have given offence, but to the house of lords, or rather the bishops, who had a seat in that house, and from whom alone they were willing to receive all advances towards reformation;[**] a strange departure from what we now apprehend to be the dignity of the commons!

* Besides the petition after mentioned, another proof of the prevalency of the Puritans among the commons was, their passing a bill for the reverent observance of Sunday, which they termed the Sabbath, and the depriving the people of those amusements which they were accustomed to take on that day. D'Ewes, p. 335. It was a strong symptom of a contrary spirit in the upper house, that they proposed to add Wednesday to the fast days, and to prohibit entirely the eating of flesh on that day. D'Ewes, p. 373.

* D'Ewes, p. 357

The commons desired, in their humble petition, that no bishop should exercise his function of ordination but with the consent and concurrence of six presbyters: but this demand, as it really introduced a change of ecclesiastical government, was firmly rejected by the prelates. They desired, that no clergyman should be instituted into any benefice without previous notice being given to the parish, that they might examine whether there lay any objection to his life or doctrine; an attempt towards a popular model, which naturally met with the same fate. In another article of the petition, they prayed that the bishops should not insist upon every ceremony, or deprive incumbents for omitting part of the service; as if uniformity in public worship had not been established by law; or as if the prelates had been endowed with a dispensing power. They complained of abuses which prevailed in pronouncing the sentence of excommunication, and they entreated the reverend fathers to think of some law for the remedy of these abuses: implying that those matters were too high for the commons of themselves to attempt.

But the most material article which the commons touched upon in their petition, was the court of ecclesiastical commission, and the oath "ex officio," as it was called, exacted by that court. This is a subject of such importance as to merit some explanation.

The first primate after the queen's accession, was Parker; a man rigid in exacting conformity to the established worship, and in punishing, by fine or deprivation, all the Puritanical clergymen who attempted to innovate any thing in the habits, ceremonies, or liturgy of the church. He died in 1575; and was succeeded by Grindal, who, as he himself was inclined to the new sect, was with great difficulty brought to execute the laws against them, or to punish the nonconforming clergy. He declined obeying the queen's orders for the suppression of "prophesyings," or the assemblies of the zealots in private houses, which, she apprehended, had become so many academies of fanaticism; and for this offence she had, by an order of the star chamber, sequestered him from his archiepiscopal function, and confined him to his own house. Upon his death, which happened in 1583, she determined not to fall into the same error in her next choice; and she named Whitgift, a zealous Churchman, who had already signalized his pen in controversy, and who, having in vain attempted to convince the Puritans by argument, was now resolved to open their eyes by power, and by the execution of penal statutes. He informed the queen, that all the spiritual authority lodged in the prelates was insignificant without the sanction of the crown; and as there was no ecclesiastical commission at that time in force, he engaged her to issue a new one, more arbitrary than any of the former, and conveying more unlimited authority.[*]

* Neal's History of the Puritans, vol. i. p. 410.

She appointed forty-four commissioners, twelve of whom were ecclesiastics; three commissioners made a quorum; the jurisdiction of the court extended over the whole kingdom and over all orders of men; and every circumstance of its authority, and all its methods of proceeding, were contrary to the clearest principles of law and natural equity. The commissioners were empowered to visit and reform all errors, heresies, schisms, in a word, to regulate all opinions, as well as to punish all breach of uniformity in the exercise of public worship. They were directed to make inquiry, not only by the legal methods of juries and witnesses, but by all other means and ways which they could devise; that is, by the rack, by torture, by inquisition, by imprisonment Where they found reason to suspect any person, they might administer to him an oath, called "ex officio," by which he was bound to answer all questions, and might thereby be obliged to accuse himself or his most intimate friend. The fines which they levied were discretionary, and often occasioned the total ruin of the offender, contrary to the established laws of the kingdom. The imprisonment to which they condemned any delinquent, was limited by no rule but their own pleasure. They assumed a power of

imposing on the clergy what new articles of subscription, and consequently of faith, they thought proper. Though all other spiritual courts were subject, since the reformation, to inhibitions from the supreme courts of law, the ecclesiastical commissioners were exempted from that legal jurisdiction, and were liable to no control. And the more to enlarge their authority, they were empowered to punish all incests, adulteries, fornications; all outrages, misbehaviors, and disorders in marriage: and the punishments which they might inflict, were according to their wisdom, conscience, and discretion. In a word, this court was a real inquisition; attended with all the iniquities, as well as cruelties, inseparable from that tribunal. And as the jurisdiction of the ecclesiastical court was destructive of all law, so its erection was deemed by many a mere usurpation of this imperious princess; and had no other foundation than a clause of a statute, restoring the supremacy to the crown, and empowering the sovereign to appoint commissioners for exercising that prerogative. But prerogative in general, especially the supremacy, was supposed in that age to involve powers which no law, precedent, or reason could limit and determine.

But though the commons, in their humble petition to the prelates, had touched so gently and submissively on the ecclesiastical grievances, the queen, in a speech from the throne at the end of the session, could not forbear taking notice of their presumption, and reproving them for those murmurs which, for fear of offending her, they had pronounced so low as not directly to reach her royal ears. After giving them some general thanks for their attachment to her, and making professions of affection to her subjects, she told them, that whoever found fault with the church threw a slander upon her, since she was appointed by God supreme ruler over it; and no heresies or schisms could prevail in the kingdom but by her permission and negligence: that some abuses must necessarily have place in every thing; but she warned the prelates to be watchful; for if she found them careless of their charge, she was fully determined to depose them: that she was commonly supposed to have employed herself in many studies, particularly philosophical, (by which, I suppose, she meant theological,) and she would confess, that few whose leisure had not allowed them to make profession of science, had read or reflected more: that as she could discern the presumption of many, in curiously canvassing the Scriptures, and starting innovations, she would no longer endure this licentiousness; but meant to guide her people by God's rule in the just mean between the corruptions of Rome and the errors of modern sectaries: and that as the Romanists were the inveterate enemies of her person, so the other innovators were dangerous to all kingly government; and, under color of preaching the word of God, presumed to exercise their private judgment, and to censure the actions of the prince.[*]

From the whole of this transaction we may observe, that the commons, in making their general application to the prelates, as well as in some particular articles of their petition, showed themselves wholly ignorant, no less than the queen, of the principles of liberty and a legal constitution. And it may not be unworthy of remark, that Elizabeth, so far from yielding to the displeasure of the parliament against the ecclesiastical commission, granted, before the end of her reign, a new commission; in which she enlarged, rather than restrained, the powers of the commissioners.[**] 18

* See note R, at the end of the volume.

** Rymer, vol. xvi p. 292, 386, 400.

During this session of parliament, there was discovered a conspiracy, which much increased the general animosity against the Catholics, and still further widened the breach between the religious parties. William Parry, a Catholic gentleman, had received the queen's pardon for a crime by which he was exposed to capital punishment; and having obtained permission to

travel, he retired to Milan, and made open profession of his religion, which he had concealed while he remained in England. He was here persuaded by Palmio, a Jesuit, that he could not perform a more meritorious action than to take away the life of his sovereign and his benefactress; the nuncio Campeggio, when consulted, approved extremely of this pious undertaking; and Parry, though still agitated with doubts, came to Paris with an intention of passing over to England and executing his bloody purpose. He was here encouraged in the design by Thomas Morgan, a gentleman of great credit in the party; and though Watts and some other Catholic priests told him that the enterprise was criminal and impious, he preferred the authority of Raggazzoni, the nuncio at Paris, and determined to persist in his resolution. He here wrote a letter to the pope, which was conveyed to Cardinal Como; he communicated his intention to the holy father, and craved his absolution and paternal benediction. He received an answer from the cardinal, by which he found that his purpose was extremely applauded; and he came over to England with a full design of carrying it into execution. So deeply are the sentiments of morality engraved in the human breast, that it is difficult even for the prejudices of false religion totally to efface them; and this bigoted assassin resolved, before he came to extremities, to try every other expedient for alleviating the persecutions under which the Catholics at that time labored. He found means of being introduced to the queen; assured her that many conspiracies were formed against her; and exhorted her, as she tendered her life, to give the Romanists some more indulgence in the exercise of their religion: but, lest he should be tempted by the opportunity to assassinate her, he always came to court unprovided with every offensive weapon. He even found means to be elected member of parliament: and having made a vehement harangue against the severe laws enacted this last session, was committed to custody for his freedom, and sequestered from the house. His failure in these attempts confirmed him the more in his former resolution; and he communicated his intentions to Nevil, who entered zealously into the design, and was determined to have a share in the merits of its execution. A book newly published by Dr. Allen, afterwards created a cardinal, served further to efface all their scruples with regard to the murder of an heretical prince; and having agreed to shoot the queen while she should be taking the air on horseback, they resolved, if they could not make their escape, to sacrifice their lives in fulfilling a duty so agreeable, as they imagined, to the will of God and to true religion. But while they were watching an opportunity for the execution of their purpose, the earl of Westmoreland happened to die in exile; and as Nevil was next heir to that family, he began to entertain hopes that, by doing some acceptable service to the queen, he might recover the estate and honors which had been forfeited by the rebellion of the last earl. He betrayed the whole conspiracy to the ministers; and Parry, being thrown into prison, confessed the guilt both to them and to the jury who tried him. The letter from Cardinal Como, being produced in court, put Parry's narrative beyond all question; and that criminal, having received sentence of death,[*] suffered the punishment which the law appointed for his treasonable conspiracy.[**] 19

These bloody designs now appeared every where, as the result of that bigoted spirit by which the two religions, especially the Catholic, were at this time actuated. Somerville, a gentleman of the county of Warwick, somewhat disordered in his understanding, had heard so much of the merit attending the assassination of heretics and persecutors, that he came to London with a view of murdering the queen; but having betrayed his design by some extravagances, he was thrown into prison, and there perished by a voluntary death.[***]

* State Trials, vol. i. p. 103, et seq. Strype, vol. iii. p. 255, et seq.

** See note S, at the end of the volume.

*** Camden, p. 495.

About the same time, Baltazar Gerard, a Burgundian, undertook and executed the same design against the prince of Orange; and that great man perished at Delft, by the hands of a desperate assassin, who, with a resolution worthy of a better cause, sacrificed his own life, in order to destroy the famous restorer and protector of religious liberty. The Flemings, who regarded that prince as their father, were filled with great sorrow, as well when they considered the miserable end of so brave a patriot, as their own forlorn condition, from the loss of so powerful and prudent a leader, and from the rapid progress of the Spanish arms. The prince of Parma had made, every year great advances upon them, had reduced several of the provinces to obedience, and had laid close siege to Antwerp, the richest and most populous city of the Netherlands, whose subjection, it was foreseen, would give a mortal blow to the already declining affairs of the revolted provinces. The only hopes which remained to them arose from the prospect of foreign succor. Being well acquainted with the cautious and frugal maxims of Elizabeth, they expected better success in France; and in the view of engaging Henry to embrace their defence, they tendered him the sovereignty of their provinces.

1585.

But the present condition of that monarchy obliged the king to reject so advantageous an offer. The duke of Anjou's death, which, he thought would have tended to restore public tranquillity in delivering him from the intrigues of that prince, plunged him into the deepest distress; and the king of Navarre, a professed Hugonot, being next heir to the crown, the duke of Guise took thence occasion to revive the Catholic league, and to urge Henry, by the most violent expedients, to seek the exclusion of that brave and virtuous prince. Henry himself, though a zealous Catholic, yet, because he declined complying with their precipitate measures, became an object of aversion to the league; and as his zeal in practising all the superstitious observances of the Romish church, was accompanied with a very licentious conduct in private life, the Catholic faction, in contradiction to universal experience, embraced thence the pretext of representing his devotion as mere deceit and hypocrisy. Finding his authority to decline, he was obliged to declare war against the Hugonots, and to put arms into the hands of the league, whom, both on account of their dangerous pretensions at home and their close alliance with Philip, he secretly regarded as his more dangerous enemies. Constrained by the same policy, he dreaded the danger of associating himself with the revolted Protestants in the Low Countries, and was obliged to renounce that inviting opportunity of revenging himself for all the hostile intrigues and enterprises of Philip.

The states, reduced to this extremity, sent over a solemn embassy to London, and made anew an offer to the queen of acknowledging her for their sovereign, on condition of obtaining her protection and assistance. Elizabeth's wisest counsellors were divided in opinion with regard to the conduct which she should hold in this critical and important emergence. Some advised her to reject the offer of the states, and represented the imminent dangers, as well as injustice, attending the acceptance of it. They said, that the suppression of rebellious subjects was the common cause of all sovereigns; and any encouragement given to the revolt of the Flemings, might prove the example of a like pernicious license to the English; that though princes were bound by the laws of the Supreme Being not to oppress their subjects, the people never were entitled to forget all duty to their sovereign, or transfer, from every fancy or disgust, or even from the justest ground of complaint, their obedience to any other master: that the queen, in the succors hitherto afforded the Flemings, had considered them as laboring under oppression, not as entitled to freedom; and had intended only to admonish Philip not to persevere in his tyranny, without any view of ravishing from him those provinces, which he enjoyed by hereditary right from his ancestors: that her situation in Ireland, and even in England, would

afford that powerful monarch sufficient opportunity of retaliating upon her; and she must thenceforth expect that, instead of secretly fomenting faction, he would openly employ his whole force in the protection and defence of the Catholics: that the pope would undoubtedly unite his spiritual arms to the temporal ones of Spain: and that the queen would soon repent her making so precarious an acquisition in foreign countries, by exposing her own dominions to the most imminent danger.[*]

* Camden, p. 507., Bentivoglio, part ii. lib iv.

Other counsellors of Elizabeth maintained a contrary opinion. They asserted, that the queen had not even from the beginning of her reign, but certainly had not at present, the choice whether she would embrace friendship or hostility with Philip: that by the whole tenor of that prince's conduct it appeared, that his sole aims were the extending of his empire, and the entire subjection of the Protestants, under the specious pretence of maintaining the Catholic faith: that the provocations which she had already given him, joined to his general scheme of policy, would forever render him her implacable enemy; and as soon as he had subdued his revolted subjects, he would undoubtedly fall, with the whole force of his united empire, on her defenceless state: that the only question was, whether she would maintain a war abroad, and supported by allies, or wait till the subjection of all the confederates of England should give her enemies leisure to begin their hostilities in the bowels of the kingdom: that the revolted provinces, though in a declining condition, possessed still considerable force; and by the assistance of England, by the advantages of their situation, and by their inveterate antipathy to Philip, might still be enabled to maintain the contest against the Spanish monarchy that their maritime power, united to the queen's, would give her entire security on the side from which alone she could be assaulted; and would even enable her to make inroads on Philip's dominions, both in Europe and the Indies: that a war which was necessary could never be unjust; and self-defence was concerned as well in preventing certain dangers at a distance, as in repelling any immediate invasion: and that, since hostility with Spain was the unavoidable consequence of the present interests and situations of the two monarchies, it were better to compensate that danger and loss by the acquisition of such important provinces to the English empire.[*]

* Camden, p. 507. Bentivoglio, part ii. lib iv.

Amidst these opposite counsels, the queen, apprehensive of the consequences attending each extreme, was inclined to steer a middle course; and though such conduct is seldom prudent, she was not, in this resolution, guided by any prejudice or mistaken affection. She was determined not to permit, without opposition, the total subjection of the revolted provinces, whose interests she deemed so closely connected with her own: but foreseeing that the acceptance of their sovereignty would oblige her to employ her whole force in their defence, would give umbrage to her neighbors, and would expose her to the reproach of ambition and usurpation,—imputations which hitherto she had carefully avoided,—she immediately rejected this offer. She concluded a league with the states on the following conditions: that she should send over an army to their assistance, of five thousand foot and a thousand horse, and pay them during the war; that the general, and two others whom she should appoint, should be admitted into the council of the states; that neither party should make peace without the consent of the other; that her expenses should be refunded after the conclusion of the war; and that the towns of Flushing and the Brille, with the Castle of Rammekins, should, in the mean time, be consigned into her hands by way of security.

The queen knew that this measure would immediately engage her in open hostilities with Philip; yet was not she terrified with the view of the present greatness of that monarch. The continent of Spain was at that time rich and populous; and the late addition of Portugal, besides securing internal tranquillity, had annexed an opulent kingdom to Philip's dominions, had made him master of many settlements in the East Indies, and of the whole commerce of those regions, and had much increased his naval power, in which he was before chiefly deficient. All the princes of Italy, even the pope and the court of Rome, were reduced to a kind of subjection under him, and seemed to possess their sovereignty on terms somewhat precarious. The Austrian branch in Germany, with their dependent principalities, was closely connected with him, and was ready to supply him with troops for every enterprise. All the treasures of the West Indies were in his possession; and the present scarcity of the precious metals in every country of Europe, rendered the influence of his riches the more forcible and extensive. The Netherlands seemed on the point of relapsing into servitude; and small hopes were entertained of their withstanding those numerous and veteran armies, which, under the command of the most experienced generals, he employed against them. Even France, which was wont to counterbalance the Austrian greatness, had lost all her force from intestine commotions; and as the Catholics, the ruling party, were closely connected with him, he rather expected thence an augmentation than a diminution of his power. Upon the whole, such prepossessions were every where entertained concerning the force of the Spanish monarchy, that the king of Sweden, when he heard that Elizabeth had openly embraced the defence of the revolted Flemings, scrupled not to say, that she had now taken the diadem from her head, and had adventured it upon the doubtful chance of war.[*]

* Camden, p 508.

Yet was this princess rather cautious than enterprising in her natural temper: she ever needed more to be impelled by the vigor, than restrained by the prudence, of her ministers: but when she saw an evident necessity, she braved danger with magnanimous courage; and trusting to her own consummate wisdom, and to the affections, however divided, of her people, she prepared herself to resist, and even to assault, the whole force of the Catholic monarch.

The earl of Leicester was sent over to Holland at the head of the English auxiliary forces. He carried with him a splendid retinue; being accompanied by the young earl of Essex, his son-in-law, the lords Audley and North, Sir William Russel, Sir Thomas Shirley, Sir Arthur Basset, Sir Walter Waller, Sir Gervase Clifton, and a select troop of five hundred gentlemen. He was received on his arrival at Flushing by his nephew, Sir Philip Sidney, the governor; and every town through which he passed expressed their joy by acclamations and triumphal arches, as if his presence and the queen's protection had brought them the most certain deliverance. The states, desirous of engaging Elizabeth still further in their defence, and knowing the interest which Leicester possessed with her, conferred on him the title of governor and captain-general of the united provinces, appointed a guard to attend him, and treated him in some respects as their sovereign. But this step had a contrary effect to what they expected. The queen was displeased with the artifice of the states, and the ambition of Leicester. She severely reprimanded both; and it was with some difficulty that, after many humble admissions, they were able to appease her.

America was regarded as the chief source of Philip's power, as well as the most defenceless part of his dominions, and Elizabeth, finding that an open breach with that monarch was unavoidable, resolved not to leave him unmolested in that quarter. The great success of the Spaniards and Portuguese in both Indies had excited a spirit of emulation in England; and as the progress of commerce, still more that of colonies, is slow and gradual, it was happy that a war in this critical period had opened a more flattering prospect to the avarice and ambition of the

English, and had tempted them, by the view of sudden and exorbitant profit, to engage in naval enterprises. A fleet of twenty sail was equipped to attack the Spaniards in the West Indies: two thousand three hundred volunteers, besides seamen, engaged on board of it; Sir Francis Drake was appointed admiral; Christopher Carlisle, commander of the land forces.

1586.

They took St. Jago, near Cape Verde, by surprise; and found in it plenty of provisions, but no riches. They sailed to Hispaniola; and easily making themselves masters of St. Domingo by assault, obliged the inhabitants to ransom their houses by a sum of money. Carthagena fell next into their hands, after some more resistance, and was treated in the same manner. They burnt St. Anthony and St. Helens, two towns on the coast of Florida. Sailing along the coast of Virginia, they found the small remains of a colony which had been planted there by Sir Walter Raleigh, and which had gone extremely to decay. This was the first attempt of the English to form such settlements; and though they have since surpassed all European nations, both in the situation of their colonies, and in the noble principles of liberty and industry on which they are founded, they had here been so unsuccessful, that the miserable planters abandoned their settlements, and prevailed on Drake to carry them with him to England. He returned with so much riches as encouraged the volunteers, and with such accounts of the Spanish weakness in those countries, as served extremely to inflame the spirits of the nation to future enterprises. The great mortality which the climate had produced in his fleet was, as is usual, but a feeble restraint on the avidity and sanguine hopes of young adventurers.[*] It is thought that Drake's fleet first introduced the use of tobacco into England.

* Camden, p. 509.

The enterprises of Leicester were much less successful than those of Drake. This man possessed neither courage nor capacity equal to the trust reposed in him by the queen; and as he was the only bad choice she made for any considerable employment, men naturally believed that she had here been influenced by an affection still more partial than that of friendship. He gained, at first, some advantage in an action against the Spaniards; and threw succors into Grave, by which that place was enabled to make a vigorous defence: but the cowardice of the governor, Van Hemert, rendered all these efforts useless. He capitulated after a feeble resistance; and being tried for his conduct, suffered a capital punishment from the sentence of a court martial. The prince of Parma next undertook the siege of Venlo, which was surrendered to him after some resistance. The fate of Nuys was more dismal; being taken by assault, while the garrison was treating of a capitulation. Rhimberg, which was garrisoned by twelve hundred English, under the command of Colonel Morgan, was afterwards besieged by the Spaniards; and Leicester, thinking himself too weak to attempt raising the siege, endeavored to draw off the prince of Parma by forming another enterprise. He first attacked Doesberg, and succeeded: he then sat down before Zutphen, which the Spanish general thought so important a fortress, that he hastened to its relief. He made the marquis of Guasto advance with a convoy, which he intended to throw into the place. They were favored by a fog; but falling by accident on a body of English cavalry, a furious action ensued, in which the Spaniards were worsted, and the marquis of Gonzaga, an Italian nobleman of great reputation and family was slain. The pursuit was stopped by the advance of the prince of Parma with the main body of the Spanish army; and the English cavalry, on their return from the field, found their advantage more than compensated by the loss of Sir Philip Sidney, who, being mortally wounded in the action, was carried off by the soldiers, and soon after died. This person is described by the writers of that age, as the most perfect model of an accomplished gentleman that could be formed even by the wanton imagination of poetry or fiction. Virtuous conduct, polite conversation, heroic valor, and elegant erudition, all concurred to render him the ornament and delight of the English

court; and as the credit which he possessed with the queen and the earl of Leicester was wholly employed in the encouragement of genius and literature, his praises have been transmitted with advantage to posterity. No person was so low as not to become an object of his humanity. After this last action, while he was lying on the field mangled with wounds, a bottle of water was brought him to relieve his thirst; but observing a soldier near him in a like miserable condition, he said, "This man's necessity is still greater than mine;" and resigned to him the bottle of water. The king of Scots, struck with admiration of Sidney's virtue, celebrated his memory in a copy of Latin verses, which he composed on the death of that young hero.
ENLARGE
1-553-sidney.jpg Sir Philip Sidney

The English, though a long peace had deprived them of all experience, were strongly possessed of military genius; and the advantages gained by the prince of Parma were not attributed to the superior bravery and discipline of the Spaniards, but solely to the want of military abilities in Leicester. The states were much discontented with his management of the war; still more with his arbitrary and imperious conduct; and at the end of the campaign, they applied to him for a redress of all their grievances. But Leicester, without giving them any satisfaction, departed soon after for England.[*]

* Camden, p. 512. Bentivoglio, part ii. lib. iv.

The queen, while she provoked so powerful an enemy as the king of Spain, was not forgetful to secure herself on the side of Scotland; and she endeavored both to cultivate the friendship and alliance of her kinsman James, and to remove all grounds of quarrel between them. An attempt which she had made some time before was not well calculated to gain Ihe confidence of that prince. She had despatched Wotton as her ambassador to Scotland; but though she gave him private instructions with regard to her affairs, she informed James, that when she had any political business to discuss with him, she would employ another minister; that this man was not fitted for serious negotiations; and that her chief purpose in sending him, was to entertain the king with witty and facetious conversation, and to partake without reserve of his pleasures and amusements. Wotton was master of profound dissimulation, and knew how to cover, under the appearance of a careless gayety, the deepest designs and most dangerous artifices. When but a youth of twenty, he had been employed by his uncle, Dr. Wotton, ambassador in France during the reign of Mary, to insnare the constable Montmorency; and had not his purpose been frustrated by pure accident, his cunning had prevailed over all the caution and experience of that aged minister. It is no wonder that, after years had improved him in all the arts of deceit, he should gain an ascendant over a young prince of so open and unguarded a temper as James; especially when the queen's recommendation prepared the way for his reception. He was admitted into all the pleasures of the king; made himself master of his secrets; and had so much the more authority with him in political transactions, as he did not seem to pay the least attention to these matters. The Scottish ministers, who observed the growing interest of this man, endeavored to acquire his friendship; and scrupled not to sacrifice to his intrigues the most essential interests of their master. Elizabeth's usual jealousies with regard to her heirs began now to be levelled against James; and as that prince had attained the years proper for marriage, she was apprehensive lest, by being strengthened by children and alliances, he should acquire the greater interest and authority with her English subjects. She directed Wotton to form a secret concert with some Scottish noblemen, and to procure their promise, that James, during three years, should not on any account be permitted to marry. In consequence of this view, they endeavored to embroil him with the king of Denmark, who had sent ambassadors to Scotland on pretence of demanding restitution of the Orkneys, but really

with a view of opening a proposal of marriage between James and his daughter. Wotton is said to have employed his intrigues to purposes still more dangerous. He formed, it is pretended, a conspiracy with some malecontents, to seize the person of the king, and to deliver him into the hands of Elizabeth, who would probably have denied all concurrence in the design, but would have been sure to retain him in perpetual thraldom, if not captivity. The conspiracy was detected; and Wotton fled hastily from Scotland, without taking leave of the king.[*]

James's situation obliged him to dissemble his resentment of this traitorous attempt, and his natural temper inclined him soon to forgive and forget it. The queen, found no difficulty in renewing the negotiations for a strict alliance between Scotland and England; and the more effectually to gain the prince's friendship, she granted him a pension, equivalent to his claim on the inheritance of his grand mother, the countess of Lenox, lately deceased.[**] A league was formed between Elizabeth and James for the mutual defence of their dominions and of their religion, now menaced by the open combination of all the Catholic powers of Europe. It was stipulated, that if Elizabeth were invaded, James should aid her with a body of two thousand horse and five thousand foot; that Elizabeth, in a like case, should send to his assistance three thousand horse and six thousand foot; that the charge of these armies should be defrayed by the prince who demanded assistance; that if the invasion should be made upon England, within sixty miles of the frontiers of Scotland, this latter kingdom should march its whole force to the assistance of the former; and that the present league should supersede all former alliances of either state with any foreign kingdom, so far as religion was concerned.[***]

* Melvil.

** Spotswood, p. 351.

*** Spotswood, p. 349. Camden, p. 513. Rymer, tom. xv. p. 803.

By this league, James secured himself against all attempts from abroad, opened a way for acquiring the confidence and affections of the English, and might entertain some prospect of domestic tranquillity, which, while he lived on bad terms with Elizabeth, he could never expect long to enjoy. Besides the turbulent disposition and inveterate feuds of the nobility,—ancient maladies of the Scottish government,—the spirit of fanaticism had introduced a new disorder; so much the more dangerous, as religion, when corrupted by false opinion, is not restrained by any rules of morality, and is even scarcely to be accounted for in its operations by any principles of ordinary conduct and policy. The insolence of the preachers, who triumphed in their dominion over the populace, had at this time reached an extreme height; and they carried their arrogance so far, not only against the king, but against the whole civil power, that they excommunicated the archbishop of St. Andrews, because he had been active in parliament for promoting a law which restrained their seditious sermons; [*] nor could that prelate save himself by any expedient from this terrible sentence, but by renouncing all pretensions to ecclesiastical authority. One Gibson said in the pulpit that Captain James Stuart (meaning the late earl of Arran) and his wife, Jezebel, had been deemed the chief persecutors of the church; but it was now seen that the king himself was the great offender; and for this crime the preacher denounced against him the curse which fell on Jeroboam, that he should die childless, and be the last of his race.[**]

The secretary, Thirlstone, perceiving the king so much molested with ecclesiastical affairs, and with the refractory disposition of the clergy, advised him to leave them to their own courses; for that in a short time they would become so intolerable, that the people would rise against them, and drive them out of the country. "True," replied the king; "if I purposed to undo the

church and religion, your counsel were good; but my intention is to maintain both; therefore cannot I suffer the clergy to follow such a conduct, as will in the end bring religion into contempt and derision."[***]

* Spotswood, p. 346, 346.

* Spotswood, p. 34[**?].

* Spotswood, p. 348.

CHAPTER XLII.

ELIZABETH.

1586.

The dangers which arose from the character, principles, and pretensions of the queen of Scots, had very early engaged Elizabeth to consult, in her treatment of that unfortunate princess, the dictates of jealousy and politics, rather than of friendship or generosity: resentment of this usage had pushed Mary into enterprises which had nearly threatened the repose and authority of Elizabeth: the rigor and restraint thence redoubled upon the captive queen,[*] still impelled her to attempt greater extremities; and while her impatience of confinement, her revenge,[**] 20 and her high spirit concurred with religious zeal, and the suggestions of desperate bigots, she was at last engaged in designs which afforded her enemies, who watched the opportunity, a pretence or reason for effecting her final ruin.

* Digges, p. 139. Haynes, p. 607.

** See note T. at the end of the volume.

The English seminary at Rheims had wrought themselves up to a high pitch of rage and animosity against the queen. The recent persecutions from which they had escaped; the new rigors which they knew awaited them in the course of their missions; the liberty which for the present they enjoyed of declaiming against that princess; and the contagion of that religious fury which every where surrounded them in France; all these causes had obliterated with them every maxim of common sense, and every principle of morals or humanity. Intoxicated with admiration of the divine power and infallibility of the pope, they revered his bull by which he excommunicated and deposed the queen; and some of them had gone to that height of extravagance as to assert, that that performance had been immediately dictated by the Holy Ghost. The assassination of heretical sovereigns, and of that princess in particular, was represented as the most meritorious of all enterprises; and they taught, that whoever perished in such pious attempts, enjoyed, without dispute, the glorious and never-fading crown of martyrdom. By such doctrines, they instigated John Savage, a man of desperate courage, who had served some years in the Low Countries under the prince of Parma, to attempt the life of Elizabeth; and this assassin, having made a vow to persevere in his design, was sent over to England, and recommended to the confidence of the more zealous Catholics.

About the same time, John Ballard, a priest of that seminary, had returned to Paris from his mission in England and Scotland; and as he had observed a spirit of mutiny and rebellion to be very prevalent among the Catholic devotees in these countries, he had founded on that disposition the project of dethroning Elizabeth, and of restoring by force of arms the exercise of the ancient religion.[*] The situation of affairs abroad seemed favorable to this enterprise; the

pope, the Spaniard, the duke of Guise, concurring in interests, had formed a resolution to make some attempt against England: and Mendoza, the Spanish ambassador at Paris, strongly encouraged Ballard to hope for succors from these princes. Charles Paget alone, a zealous Catholic and a devoted partisan of the queen of Scots, being well acquainted with the prudence, vigor, and general popularity of Elizabeth, always maintained that, so long as that princess was allowed to live, it was in vain to expect any success from an enterprise upon England. Ballard, persuaded of this truth, saw more clearly the necessity of executing the design formed at Rheims; he came over to England in the disguise of a soldier, and assumed the name of Captain Fortescue; and he bent his endeavors to effect at once the project of an assassination, an insurrection, and an invasion.[**]

* Murden's State Papers, p. 517.

* Camden, p. 515

The first person to whom he addressed himself was Anthony Babington, of Dethic, in the county of Derby. This young gentleman was of a good family, possessed a plentiful fortune, had discovered an excellent capacity, and was accomplished in literature beyond most of his years or station. Being zealously devoted to the Catholic communion, he had secretly made a journey to Paris some time before, and had fallen into intimacy with Thomas Morgan, a bigoted fugitive from England, and with the bishop of Glasgow, Mary's ambassador at the court of France. By continually extolling the amiable accomplishments and heroical virtues of that princess, they impelled the sanguine and unguarded mind of young Babington to make some attempt for her service; and they employed every principle of ambition, gallantry, and religious zeal, to give him a contempt of those dangers which attended any enterprise against the vigilant government of Elizabeth. Finding him well disposed for their purpose, they sent him back to England, and secretly, unknown to himself, recommended him to the queen of Scots, as a person worth engaging in her service. She wrote him a letter, full of friendship and confidence; and Babington, ardent in his temper and zealous in his principles, thought that these advances now bound him in honor to devote himself entirely to the service of that unfortunate princess. During some time, he had found means of conveying to her all her foreign correspondence; but after she was put under the custody of Sir Amias Paulet, and reduced to a more rigorous confinement, he experienced so much difficulty and danger in rendering her this service, that he had desisted from every attempt of that nature.

When Ballard began to open his intentions to Babington, he found his zeal suspended, not extinguished: his former ardor revived on the mention of any enterprise which seemed to promise success in the cause of Mary and of the Catholic religion. He had entertained sentiments conformable to those of Paget, and represented the folly of all attempts which, during the lifetime of Elizabeth, could be formed against the established religion and government of England. Ballard, encouraged by this hint, proceeded to discover to him the design undertaken by Savage;[*] and was well pleased to observe that, instead of being shocked with the project, Babington only thought it not secure enough, when intrusted to one single hand, and proposed to join five others with Savage in this desperate enterprise.

* Camden, p. 515. State Trials, p. 114.

In prosecution of these views, Babington employed himself in increasing the number of his associates; and he secretly drew into the conspiracy many Catholic gentlemen, discontented with the present government. Barnwell, of a noble family in Ireland, Charnoc, a gentleman of Lancashire, and Abington, whose father had been cofferer to the household readily undertook

the assassination of the queen. Charles Tilney, the heir of an ancient family, and Titchborne of Southampton, when the design was proposed to them, expressed some scruples, which were removed by the arguments of Babington and Ballard. Savage alone refused, during some time, to share the glory of the enterprise with any others;[*] he challenged the whole to himself; and it was with some difficulty he was induced to depart from this preposterous ambition.

* State Trials, vol. i. p. 111.

The deliverance of the queen of Scots, at the very same instant when Elizabeth should be assassinated, was requisite for effecting the purpose of the conspirators; and Babington undertook, with a party of a hundred horse, to attack her guards while she should be taking the air on horseback. In this enterprise, he engaged Edward Windsor, brother to the lord of that name, Thomas Salisbury, Robert Gage, John Travers, John Jones, and Henry Donne; most of them men of family and interest. The conspirators much wanted, but could not find, any nobleman of note whom they might place at the head of the enterprise; but they trusted that the great events, of the queen's death and Mary's deliverance, would rouse all the zealous Catholics to arms; and that foreign forces, taking advantage of the general confusion, would easily fix the queen of Scots on the throne, and reestablish the ancient religion.

These desperate projects had not escaped the vigilance of Elizabeth's council, particularly of Walsingham, secretary of state. That artful minister had engaged Maud, a Catholic priest, whom he retained in pay, to attend Ballard in his journey to France, and had thereby got a hint of the designs entertained by the fugitives. Polly, another of his spies, had found means to insinuate himself among the conspirators in England; and, though not entirely trusted, had obtained some insight into their dangerous secrets. But the bottom of the conspiracy was never fully known, till Gifford, a seminary priest, came over and made a tender of his services to Walsingham. By his means, the discovery became of the utmost importance, and involved the fate of Mary, as well as of those zealous partisans of that princess.

Babington and his associates, having laid such a plan as, they thought, promised infallible success, were impatient to communicate the design to the queen of Scots, and to obtain her approbation and concurrence. For this service they employed Gifford, who immediately applied to Walsingham, that the interest of that minister might forward his secret correspondence with Mary. Walsingham proposed the matter to Paulet, and desired him to connive at Gifford's corrupting one of his servants; but Paulet, averse to the introducing of such a pernicious precedent into his family, desired that they would rather think of some other expedient. Gifford found a brewer, who supplied the family with ale; and bribed him to convey letters to the captive queen. The letters, by Paulet's connivance, were thrust through a chink in the wall; and answers were returned by the same conveyance.

Ballard and Babington were at first diffident of Gifford's fidelity; and to make trial of him, they gave him only blank papers made up like letters; but finding by the answers that these had been faithfully delivered, they laid aside all further scruple, and conveyed by his hands the most criminal and dangerous parts of their conspiracy. Babington informed Mary of the design laid for a foreign invasion, the plan of an insurrection at home, the scheme for her deliverance, and the conspiracy for assassinating the usurper, by six noble gentlemen, as he termed them, all of them his private friends; who, from the zeal which they bore to the Catholic cause and her majesty's service, would undertake the "tragical execution." Mary replied, that she approved highly of the design; that the gentlemen might expect all the rewards which it should ever be in her power to confer; and that the death of Elizabeth was a necessary circumstance, before any attempts were made, either for her own deliverance or an insurrection.[*]

* State Trials, vol. i. p 135. Camden, p. 515.

These letters, with others to Mendoza, Charles Paget, the archbishop of Glasgow, and Sir Francis Inglefield, were carried by Gifford to Secretary Walsingham; were deciphered by the art of Philips, his clerk; and copies taken of them. Walsingham employed another artifice, in order to obtain full insight into the plot: he subjoined to a letter of Mary's a postscript in the same cipher; in which he made her desire Babington to inform her of the names of the conspirators. The indiscretion of Babington furnished Walsingham with still another means of detection, as well as of defence. That gentlemen had caused a picture to be drawn, where he himself was represented standing amidst the six assassins; and a motto was subjoined, expressing that their common perils were the band of their confederacy. A copy of this picture was brought to Elizabeth, that she might know the assassins, and guard herself against their approach to her person.

Meanwhile Babington, anxious to insure and hasten the foreign succors, resolved to despatch Ballard into France; and he procured for him, under a feigned name, a license to travel. In order to remove from himself all suspicion, he applied to Walsingharn, pretended great zeal for the queen's service, offered to go abroad, and professed his intentions of employing the confidence which he had gained among the Catholics, to the detection and disappointment of their conspiracies. Walsingham commended his loyal purposes; and promising his own counsel and assistance in the execution of them, still fed him with hopes, and maintained a close correspondence with him. A warrant, meanwhile, was issued for seizing Ballard; and this incident, joined to the consciousness of guilt, begat in all the conspirators the utmost anxiety and concern. Some advised that they should immediately make their escape; others proposed that Savage and Charnoc should without delay execute their purpose against Elizabeth; and Babington, in prosecution of this scheme, furnished Savage with money, that he might buy good clothes, and thereby have more easy access to the queen's person. Next day, they began to apprehend that they had taken the alarm too hastily; and Babington, having renewed his correspondence with Walsingham, was persuaded by that subtle minister, that the seizure of Ballard had proceeded entirely from the usual diligence of informers in the detection of popish and seminary priests. He even consented to take lodgings secretly in Walsingham's house, that they might have more frequent conferences together before his intended departure for France; but observing that he was watched and guarded, he made his escape, and gave the alarm to the other conspirators. They all took to flight, covered themselves with several disguises, and lay concealed in woods or barns; but were soon discovered and thrown into prison. In their examinations they contradicted each other, and the leaders were obliged to make a full confession of the truth. Fourteen were condemned and executed, of whom seven, acknowledged the crime on their trial; the rest were convicted by evidence.

The lesser conspirators being despatched, measures were taken for the trial and conviction of the queen of Scots; on whose account, and with whose concurrence, these attempts had been made against the life of the queen, and the tranquillity of the kingdom. Some of Elizabeth's counsellors were averse to this procedure, and thought that the close confinement of a woman who was become very sickly, and who would probably put a speedy period to their anxiety by her natural death, might give sufficient security to the government without attempting a measure of which there scarcely remains any example in history. Leicester advised that Mary should be secretly despatched by poison; and he sent a divine to convince Walsingham of the lawfulness of that action: but Walsingham declared his abhorrence of it; and still insisted, in conjunction with the majority of the counsellors, for the open trial of the queen of Scots. The situation of England, and of the English ministers, had, indeed, been hitherto not a little dangerous. No successor of the crown was declared; but the heir of blood, to whom the people in general were likely to adhere, was, by education, an enemy to the national religion; was, from multiplied provocations, an enemy to the ministers and principal nobility; and their

personal safety, as well as the safety of the public, seemed to depend alone on the queen's life, who was now somewhat advanced in years. No wonder, therefore, that Elizabeth's counsellors, knowing themselves to be so obnoxious to the queen of Scots, endeavored to push every measure to extremities against her; and were even more anxious than the queen herself, to prevent her from ever mounting the throne of England.

Though all England was acquainted with the detection of Babington's conspiracy, every avenue to the queen of Scots had been so strictly guarded, that she remained in utter ignorance of the matter; and it was a great surprise to her, when Sir Thomas Gorges, by Elizabeth's orders, informed her, that all her accomplices were discovered and arrested. He chose the time for giving her this intelligence when she was mounted on horseback to go a hunting; and she was not permitted to return to her former place of abode, but war conducted from one gentleman's house to another, till she was lodged in Fotheringay Castle, in the County of Northampton, which it was determined to make the last stage of her trial and sufferings. Her two secretaries, Nau, a Frenchman, and Curle, a Scot, were immediately arrested: all her papers were seized, and sent up to the council: above sixty different keys to ciphers were discovered: there were also found many letters from persons beyond sea, and several too from English noblemen containing expressions of respect and attachment. The queen took no notice of this latter discovery; but the persons themselves, knowing their correspondence to be detected, though that they had no other means of making atonement for their imprudence, than by declaring themselves thenceforth the most inveterate enemies of the queen of Scots.[*]

* Camden, p. 518.

It was resolved to try Mary, not by the common statute of treasons, but by the act which had passed the former year with a view to this very event; and the queen, in terms of that act, appointed a commission, consisting of forty noblemen and privy counsellors, and empowered them to examine and pass sentence on Mary, whom she denominated the late queen of Scots, and heir to James V. of Scotland. The commissioners came to Fotheringay Castle, and sent to her Sir Walter Mildmay, Sir Amias Paulet, and Edward Barker, who delivered her a letter from Elizabeth, informing her of the commission, and of the approaching trial. Mary received the intelligence without emotion or astonishment. She said, however, that it seemed strange to her, that the queen should command her, as a subject, to submit to a trial and examination before subjects; that she was an absolute, independent princess, and would yield to nothing which might derogate either from her royal majesty, from the state of sovereign princes, or from the dignity and rank of her son: that, however oppressed by misfortunes, she was not yet so much broken in spirit as her enemies flattered themselves; nor would she, on any account, be accessary to her own degradation and dishonor: that she was ignorant of the laws and statutes of England; was utterly destitute of counsel; and could not conceive who were entitled to be called her peers, or could legally sit as judges on her trial: that though she had lived in England for many years, she had lived in captivity; and not having received the protection of the laws, she could not, merely by her involuntary residence in the country, be supposed to have subjected herself to their jurisdiction: that, notwithstanding the superiority of her rank, she was willing to give an account of her conduct before an English parliament; but could not view these commissioners in any other light than as men appointed to justify, by some color of legal proceeding, her condemnation and execution: and that she warned them to look to their conscience and their character in trying an innocent person; and to reflect, that these transactions would somewhere be subject to revisal, and that the theatre of the whole world was much wider than the kingdom of England.

In return, the commissioners sent a new deputation, informing her, that her plea, either from her royal dignity or from her imprisonment, could not be admitted; and that they were

empowered to proceed to her trial, even though she should refuse to answer before them. Burleigh, the treasurer, and Bromley, the chancellor, employed much reasoning to make her submit; but the person whose arguments had the chief influence, was Sir Christopher Hatton, vice-chamberlain. His speech was to this purpose: "You are accused, madam," said he, "but not condemned, of having conspired the destruction of our lady and queen anointed. You say you are a queen; but, in such a crime as this, and such a situation as yours, the royal dignity itself, neither by the civil or canon law, nor by the law of nature or of nations, is exempt from judgment. If you be innocent, you wrong your reputation in avoiding a trial. We have been present at your protestations of innocence; but Queen Elizabeth thinks otherwise, and is heartily sorry for the appearances which lie against you. To examine, therefore, your cause, she has appointed commissioners; honorable persons, prudent and upright men, who are ready to hear you with equity, and even with favor, and will rejoice if you can clear yourself of the imputations which have been thrown upon you. Believe me, madam, the queen herself will rejoice, who affirmed to me, at my departure, that nothing which ever befell her had given her so much uneasiness, as that you should be suspected of a concurrence in these criminal enterprises. Laying aside, therefore, the fruitless claim of privilege from your royal dignity, which can now avail you nothing, trust to the better defence of your innocence, make it appear in open trial, and leave not upon your memory that stain of infamy which must attend your obstinate silence on this occasion." [*]

* Camden, p. 523.

By this artful speech, Mary was persuaded to answer before the court; and thereby gave an appearance of legal procedure to the trial, and prevented those difficulties which the commissioners must have fallen into, had she persevered in maintaining so specious a plea as that of her sovereign and independent character. Her conduct in this particular must be regarded as the more imprudent; because formerly, when Elizabeth's commissioners pretended not to exercise any jurisdiction over her, and only entered into her cause by her own consent and approbation, she declined justifying herself, when her honor, which ought to have been dearer to her than life, seemed absolutely to require it.

On her first appearance before the commissioners, Mary, either sensible of her imprudence, or still unwilling to degrade herself by submitting to a trial, renewed her protestation against the authority of her judges: the chancellor answered her, by pleading the supreme authority of the English laws over every one who resided in England; and the commissioners accommodated matters, by ordering both her protestation and his answer to be recorded.

The lawyers of the crown then opened the charge against the queen of Scots. They proved, by intercepted letters, that she had allowed Cardinal Allen and others to treat her as queen of England; and that she had kept a correspondence with Lord Paget and Charles Paget, in view of engaging the Spaniards to invade the kingdom. Mary seemed not anxious to clear herself from either of these imputations. She only said that she could not hinder others from using what style they pleased in writing to her; and that she might lawfully try every expedient for the recovery of her liberty.

An intercepted letter of hers to Mendoza was next produced; in which she promised to transfer to Philip her right to the kingdom of England, if her son should refuse to be converted to the Catholic faith; an event, she there said, of which there was no expectation while he remained in the hands of his Scottish subjects.[*]

* State Trials, vol. i. p 138.

Even this part of the charge she took no pains to deny, or rather she seemed to acknowledge it. She said that she had no kingdoms to dispose of; yet was it lawful for her to give at her pleasure what was her own, and she was not accountable to any for her actions. She added, that she had formerly rejected that proposal from Spain; but now, since all her hopes in England were gone, she was fully determined not to refuse foreign assistance. There was also produced evidence to prove, that Allen and Parsons were at that very time negotiating, by her orders, at Rome, the conditions of transferring her English crown to the king of Spain, and of disinheriting her heretical son.[*] 21

It is remarkable, that Mary's prejudices against her son were at this time carried so far, that she had even entered into a conspiracy against him, had appointed Lord Claud Hamilton regent of Scotland, and had instigated her adherents to seize James's person, and deliver him into the hands of the pope, or the king of Spain; whence he was never to be delivered, but on condition of his becoming Catholic.[**] 24

The only part of the charge which Mary positively denied, was her concurrence in the design of assassinating Elizabeth. This article, indeed, was the most heavy, and the only one that could fully justify the queen in proceeding to extremities against her. In order to prove the accusation, there were produced the following evidence: copies taken in Secretary Walsingham's office of the intercepted letters between her and Babington, in which her approbation of the murder was clearly expressed; the evidence of her two secretaries, Nau and Curle, who had confessed, without being put to any torture, both that she received these letters from Babington, and that they had written the answers by her order; the confession of Babington, that he had written the letters and received the answers,[***] and the confession of Ballard and Savage, that Babington had showed them these letters of Mary, written in the cipher which had been settled between them.

* See note U, at the end of the volume.

** See note X, at the end of the volume.

*** State Trials, vol. i. p. 113.

It is evident, that this complication of evidence, though every circumstance corroborates the general conclusion, resolves itself finally into the testimony of the two secretaries, who alone were certainly acquainted with their mistress's concurrence in Babington's conspiracy, but who knew themselves exposed to all the rigors of imprisonment, torture, and death, if they refused to give any evidence which might be required of them. In the case of an ordinary criminal, this proof, with all its disadvantages, would be esteemed legal, and even satisfactory, if not opposed by some other circumstances which shake the credit of the witnesses: but on the present trial, where the absolute power of the prosecutor concurred with such important interests, and such a violent inclination to have the princess condemned, the testimony of two witnesses, even though men of character, ought to be supported by strong probabilities, in order to remove all suspicion of tyranny and injustice. The proof against Mary, it must be confessed, is not destitute of this advantage; and it is difficult, if not impossible, to account for Babington's receiving an answer written in her name, and in the cipher concerted between them, without allowing that the matter had been communicated to that princess. Such is the light in which this matter appears, even after time has discovered every thing which could guide our judgment with regard to it: no wonder, therefore, that the queen of Scots, unassisted by counsel, and confounded by so extraordinary a trial, found herself incapable of making a satisfactory defence before the commissioners. Her reply consisted chiefly in her own denial: whatever force may be in that denial was much weakened by her positively affirming, that she

never had had any correspondence of any kind with Babington; a fact, however, of which there remains not the least question.[*] 25 She asserted, that as Nau and Curle had taken an oath of secrecy and fidelity to her, their evidence against her ought not to be credited. She confessed, however, that Nau had been in the service of her uncle, the cardinal of Lorraine, and had been recommended to her by the king of France, as a man in whom she might safely confide. She also acknowledged Curle to be a very honest man, but simple and easily imposed on by Nau. If these two men had received any letters, or had written any answers, without her knowledge, the imputation, she said, could never lie on her. And she was the more inclined, she added, to entertain this suspicion against them, because Nau had, in other instances, been guilty of a like temerity, and had ventured to transact business in her name, without communicating the matter to her.[**] 26

* See note Y, at the end of the volume.

** See note Z, at the end cf the volume.

The sole circumstance of her defence which to us may appear to have some force, was her requiring that Nau and Cure should be confronted with her, and her affirming that they never would to her face persist in their evidence. But that demand, however equitable, was not then supported by law in trials of high treason, and was often refused, even in other trials where the crown was prosecutor. The clause contained in an act of the thirteenth of the queen, was a novelty; that the species of treason there enumerated must be proved by two witnesses, confronted with the criminal. But Mary was not tried upon that act; and the ministers and crown lawyers of this reign were always sure to refuse every indulgence beyond what the strict letter of the law, and the settled practice of the courts of justice, required of them. Not to mention, that these secretaries were not probably at Fotheringay Castle during the time of the trial, and could not, upon Mary's demand, be produced before the commissioners.[*]

* Queen Elizabeth was willing to have allowed Curle and Nau to be produced in the trial, and writes to that purpose to Burleigh and Walsingham, in her letter of the seventh of October, in Forbes's MS collections. She only says, that she thinks it needless, though she was willing to agree to it. The not confronting of the witnesses was not the result of design, but the practice of the age.

There passed two incidents in this trial which may be worth observing. A letter between Mary and Babington was read, in which mention was made of the earl of Arundel and his brothers: on hearing their names, she broke into a sigh. "Alas," said she, "what has the noble house of the Howards suffered for my sake!" She affirmed, with regard to the same letter, that it was easy to forge the handwriting and cipher of another; she was afraid that this was too familiar a practice with Walsingham, who, she also heard, had frequently practised both against her life and her son's. Walsingham, who was one of the commissioners, rose up. He protested that, in his private capacity, he had never acted any thing against the queen of Scots: in his public capacity, he owned, that his concern for his sovereign's safety had made him very diligent in searching out, by every expedient, all designs against her sacred person or her authority. For attaining that end, he would not only make use of the assistance of Ballard or any other conspirator; he would also reward them for betraying their companions. But if he had tampered in any manner unbefitting his character and office, why did none of the late criminals, either at their trial or execution accuse him of such practices? Mary endeavored to

pacify him, by saying that she spoke from information; and she begged him to give thenceforth no more credit to such as slandered her, than she should to such as accused him. The great character, indeed, which Sir Francis Walsingham bears for probity and honor, should remove from him all suspicion of such base arts as forgery and subornation; arts which even the most corrupt ministers, in the most corrupt times, would scruple to employ.

Having finished the trial, the commissioners, adjourned from Fotheringay Castle, and met in the star chamber at London, where, after taking the oaths of Mary's two secretaries, who voluntarily, without hope or reward, vouched the authenticity of those letters before produced, they pronounced sentence of death upon the queen of Scots, and confirmed it by their seals and subscriptions. The same day, a declaration was published by the commissioners and the judges "that the sentence did nowise derogate from the title and honor of James, king of Scotland; but that he was in the same place, degree, and right, as if the sentence had never been pronounced."[*]

* Camden, p. 526.

The queen had now brought affairs with Mary to that situation which she had long ardently desired; and had found a plausible reason for executing vengeance on a competitor, whom, from the beginning of her reign, she had ever equally dreaded and hated. But she was restrained from instantly gratifying her resentment, by several important considerations. She foresaw the invidious colors in which this example of uncommon jurisdiction would be represented by the numerous partisans of Mary, and the reproach to which she herself might be exposed with all foreign princes, perhaps with all posterity. The rights of hospitality, of kindred, and of royal majesty, seemed in one signal instance to be all violated; and this sacrifice of generosity to interest, of clemency to revenge, might appear equally unbecoming a sovereign and a woman. Elizabeth, therefore, who was an excellent hypocrite, pretended the utmost reluctance to proceed to the execution of the sentence; affected the most tender sympathy with her prisoner; displayed all her scruples and difficulties; rejected the solicitation of her courtiers and ministers; and affirmed that, were she not moved by the deepest concern for her people's safety, she would not hesitate a moment in pardoning all the injuries which she herself had received from the queen of Scots.

That the voice of her people might be more audibly heard in the demand of justice upon Mary, she summoned a new parliament; and she knew, both from the usual dispositions of that assembly, and from the influence of her ministers over them, that she should not want the most earnest solicitation to consent to that measure which was so agreeable to her secret inclinations. She did not open this assembly in person, but appointed for that purpose three commissioners, Bromley, the chancellor, Burleigh, the treasurer, and the earl of Derby. The reason assigned for this measure was, that the queen, foreseeing that the affair of the queen of Scots would be canvassed in parliament, found her tenderness and delicacy so much hurt by that melancholy incident, that she had not the courage to be present while it was under deliberation, but withdrew her eyes from what she could not behold without the utmost reluctance and uneasiness. She was also willing, that, by this unusual precaution, the people should see the danger to which her person was hourly exposed; and should thence be more strongly incited to take vengeance on the criminal, whose restless intrigues and bloody conspiracies had so long exposed her to the most imminent perils.[*]

The parliament answered the queen's expectations: the sentence against Mary was unanimously ratified by both houses, and an application was voted to obtain Elizabeth's consent to its publication and execution.[**] She gave an answer ambiguous, embarrassed; full of real artifice, and seeming irresolution. She mentioned the extreme danger to which her life was continually exposed; she declared her willingness to die, did she not foresee the great

calamities which would thence fall upon the nation; she made professions of the greatest tenderness to her people; she displayed the clemency of her temper, and expressed her violent reluctance to execute the sentence against her unhappy kinswoman; she affirmed, that the late law, by which that princess was tried, so far from being made to insnare her, was only intended to give her warning beforehand, not to engage in such attempts as might expose her to the penalties with which she was thus openly menaced; and she begged them to think once again, whether it were possible to find any expedient, besides the death of the queen of Scots, for securing the public tranquility.[***]

* D'Ewes, p. 375.

** D'Ewes, p. 379.

*** D'Ewes, p. 402, 403.

The parliament, in obedience to her commands, took the affair again under consideration; but could find no other possible expedient. They reiterated their solicitations, and entreaties, and arguments: they even remonstrated, that mercy to the queen of Scots was cruelty to them, her subjects and children: and they affirmed, that it were injustice to deny execution of the law to any individual; much more to the whole body of the people, now unanimously and earnestly suing for this pledge of her parental care and tenderness. This second address set the pretended doubts and scruples of Elizabeth anew in agitation; she complained of her now unfortunate situation; expressed her uneasiness from their importunity; renewed the professions of affection to her people; and dismissed the committee of parliament in an uncertainty what, after all this deliberation, might be her final resolution.[*] 27

But though the queen affected reluctance to execute the sentence against Mary, she complied with the request of parliament in publishing it by proclamation; and this act seemed to be attended with the unanimous and hearty rejoicings of the people. Lord Buckhurst, and Beale, clerk of the council, were sent to the queen of Scots, and notified to her the sentence pronounced against her, its ratification by parliament, and the earnest applications made for its execution by that assembly, who thought that their religion could never, while she was alive, attain a full settlement and security. Mary was nowise dismayed at this intelligence: on the contrary, she joyfully laid hold of the last circumstance mentioned to her; and insisted, that since her death was demanded by the Protestants for the establishment of their faith, she was really a martyr to her religion, and was entitled to all the merits attending that glorious character. She added, that the English had often imbrued their hands in the blood of their sovereigns: no wonder they exercised cruelty against her, who derived her descent from these monarchs.[**] Paulet, her keeper, received orders to take down her canopy, and to serve her no longer with the respect due to sovereign princes. He told her, that she was now to be considered as a dead person, and incapable of any dignity.[***] This harsh treatment produced not in her any seeming emotion. She only replied, that she received her royal character from the hands of the Almighty, and no earthly power was ever able to bereave her of it.

* See note AA, at the end of the volume.

** Camden, p. 528.

*** Jebb, vol. ii. p. 293.

The queen of Scots wrote her last letter to Elizabeth; full of dignity, without departing from that spirit of meekness and of charity which appeared suitable to this concluding scene of her unfortunate life. She preferred no petition for averting the fatal sentence: on the contrary she expressed her gratitude to Heaven for thus bringing to a speedy period her sad and lamentable pilgrimage. She requested some favors of Elizabeth; and entreated her that she might be beholden for them to her own goodness alone, without making applications to those ministers who had discovered such an extreme malignity against her person and her religion. She desired, that after her enemies should be satiated with her innocent blood, her body, which it was determined should never enjoy rest while her soul was united to it, might be consigned to her servants, and be conveyed by them into France, there to repose in a Catholic land, with the sacred relics of her mother. In Scotland, she said, the sepulchres of her ancestors were violated, and the churches either demolished or profaned; and in England, where she might be interred among the ancient kings, her own and Elizabeth's progenitors, she could entertain no hopes of being accompanied to the grave with those rites and ceremonies which her religion required. She requested, that no one might have the power of inflicting a private death upon her, without Elizabeth's knowledge; but that her execution should be public, and attended by her ancient servants, who might bear testimony of her perseverance in the faith, and of her submission to the will of Heaven. She begged that these servants might afterwards be allowed to depart whithersoever they pleased, and might enjoy those legacies which she should bequeath them. And she conjured her to grant these favors by their near kindred; by the soul and memory of Henry VII., the common ancestor of both; and by the royal dignity of which they equally participated.[*] Elizabeth made no answer to this letter; being unwilling to give Mary a refusal in her present situation, and foreseeing inconveniencies from granting some of her requests.

* Camden p. 529. Jebb, vol. ii. p. 295.

While the queen of Scots thus prepared herself to meet her fate, great efforts were made by foreign powers with Elizabeth to prevent the execution of the sentence pronounced against her. Besides employing L'Aubespine, the French resident at London, a creature of the house of Guise, Henry sent over Bellièvre, with a professed intention of interceding for the life of Mary. The duke of Guise and the league at that time threatened very nearly the king's authority; and Elizabeth knew, that though that monarch might, from decency and policy, think himself obliged to interpose publicly in behalf of the queen of Scots, he could not secretly be much displeased with the death of a princess, on whose fortune and elevation his mortal enemies had always founded so many daring and ambitious projects.[*] It is even pretended, that Bellievre had orders, after making public and vehement remonstrances against the execution of Mary, to exhort privately the queen, in his master's name, not to defer an act of justice so necessary for their common safety.[**] But whether the French king's intercession were sincere or not, it had no weight with the queen; and she still persisted in her former resolution.

* Camden, p. 494.

** Du Maurier.

The interposition of the young king of Scots, though not able to change Elizabeth's determination, seemed on every account to merit more regard. As soon as James heard of the trial and condemnation of his mother, he sent Sir William Keith, a gentleman of his bed-chamber, to London; and wrote a letter to the queen, in which he remonstrated in very severe terms against the indignity of the procedure. He said, that he was astonished to hear of the

presumption of English noblemen and counsellors, who had dared to sit in judgment and pass sentence upon a queen of Scotland, descended from the blood royal of England; but he was still more astonished to hear, that thoughts were seriously entertained of putting that sentence in execution: that he entreated Elizabeth to reflect on the dishonor which she would draw on her name by imbruing her hands in the blood of her near kinswoman, a person of the same royal dignity and of the same sex with herself: that, in this unparalleled attempt, she offered an affront to all diadems, and even to her own; and by reducing sovereigns to a level with other men, taught the people to neglect all duty towards those whom Providence had appointed to rule over them: that for his part, he must deem the injury and insult so enormous, as to be incapable of all atonement; nor was it possible for him thenceforward to remain in any terms of correspondence with a person who, without any pretence of legal authority, had deliberately inflicted an ignominious death upon his parent: and that, even if the sentiments of nature and duty did not inspire him with this purpose of vengeance, his honor required it of him; nor could he ever acquit himself in the eyes of the world, if he did not use every effort, and endure every hazard, to revenge so great an indignity.[*]

Soon after, James sent the master of Gray and Sir Robert Melvil to enforce the remonstrances of Keith, and to employ with the queen every expedient of argument and menaces. Elizabeth was at first offended with the sharpness of these applications; and she replied in a like strain to the Scottish ambassadors. When she afterwards reflected, that this earnestness was no more than what duty required of James, she was pacified; but still retained her resolution of executing the sentence against Mary.[**] It is believed, that the master of Gray, gained by the enemies of that princess, secretly gave his advice not to spare her, and undertook, in all events, to pacify his master.

*	Spotswood,	p.	351.
**	Spotswood,	p.	353.

The queen also, from many considerations, was induced to pay small attention to the applications of James, and to disregard all the efforts which he could employ in behalf of his mother. She was well acquainted with his character and interests, the factions which prevailed among his people, and the inveterate hatred which the zealous Protestants, particularly the preachers, bore to the queen of Scots. The present incidents set these dispositions of the clergy in a full light. James, observing the fixed purpose of Elizabeth, ordered prayers to be offered up for Mary in all the churches; and knowing the captious humor of the ecclesiastics, he took care that the form of the petition should be most cautious, as well as humane and charitable: "That it might please God to illuminate Mary with the light of his truth, and save her from the apparent danger with which she was threatened." But, excepting the king's own chaplains, and one clergyman more, all the preachers refused to pollute their churches by prayers for a Papist, and would not so much as prefer a petition for her conversion. James, unwilling or unable to punish this disobedience, and desirous of giving the preachers an opportunity of amending their fault, appointed a new day when prayers should be said for his mother; and that he might at least secure himself from any insult in his own presence, he desired the archbishop of St. Andrews to officiate before him.

In order to disappoint this purpose, the clergy instigated one Couper, a young man who had not yet received holy orders, to take possession of the pulpit early in the morning, and to exclude the prelate. When the king came to church, and saw the pulpit occupied by Couper, he called to him from his seat, and told him, that the place was destined for another; yet since he was there, if he would obey the charge given, and remember the queen in his prayers, he might proceed to divine service. The preacher replied, that he would do as the Spirit of God should

direct him. This answer sufficiently instructed James in his purpose; and he commanded him to leave the pulpit. As Couper seemed not disposed to obey, the captain of the guard went to pull him from his place; upon which the young man cried aloud, that this day would be a witness against the king in the great day of the Lord; and he denounced a woe upon the inhabitants of Edinburgh for permitting him to be treated in that manner.[*] The audience at first appeared desirous to take part with him; but the sermon of the prelate brought them over to a more dutiful and more humane disposition.

* Spotswood, p. 354.

Elizabeth, when solicited, either by James or by foreign princes, to pardon the queen of Scots, seemed always determined to execute the sentence against her: but when her ministers urged her to interpose no more delays, her scruples and her hesitation returned; her humanity could not allow her to embrace such violent and sanguinary measures; and she was touched with compassion for the misfortunes, and with respect for the dignity, of the unhappy prisoner. The courtiers, sensible that they could do nothing more acceptable to her than to employ persuasion on this head, failed not to enforce every motive for the punishment of Mary, and to combat all the objections urged against this act of justice. They said, that the treatment of that princess in England had been, on her first reception, such as sound reason and policy required; and if she had been governed by principles of equity, she would not have refused willingly to acquiesce in it: that the obvious inconveniencies, either of allowing her to retire into France, or of restoring her by force to her throne, in opposition to the reformers and the English party in Scotland, had obliged the queen to detain her in England, till time should offer some opportunity of serving her, without danger to the kingdom, or to the Protestant religion that her usage there had been such as became her rank; her own servants, in considerable numbers, had been permitted to attend her, exercise had been allowed her for health, and all access of company for amusement; and these indulgences would, in time, have been carried further, if by her subsequent conduct she had appeared worthy of them: that after she had instigated the rebellion of Northumberland, the conspiracy of Norfolk, the bull of excommunication of Pope Pius, an invasion from Flanders; after she had seduced the queen's friends, and incited every enemy, foreign and domestic, against her; it became necessary to treat her as a most dangerous rival, and to render her confinement more strict and rigorous: that the queen, notwithstanding these repeated provocations, had, in her favor, rejected the importunity of her parliaments, and the advice of her sagest ministers;[*] and was still, in hopes of her amendment, determined to delay coming to the last extremities against her: that Mary, even in this forlorn condition, retained so high and unconquerable a spirit, that she acted as competitor to the crown, and allowed her partisans every where, and in their very letters addressed to herself, to treat her as queen of England: that she had carried her animosity so far as to encourage, in repeated instances, the atrocious design of assassinating the queen; and this crime was unquestionably proved upon her by her own letters, by the evidence of her secretaries, and by the dying confession of her accomplices; that she was but a titular queen, and at present possessed nowhere any right of sovereignty; much less in England, where, the moment she set foot in the kingdom, she voluntarily became subject to the laws, and to Elizabeth, the only true sovereign; that even allowing her to be still the queen's equal in rank and dignity, self-defence was permitted by a law of nature which could never be abrogated: and every one, still more a queen, had sufficient jurisdiction over an enemy, who, by open violence, and still more, who, by secret treachery, threatened the utmost danger against her life; that the general combination of the Catholics to exterminate the Protestants was no longer a secret; and as the sole resource of the latter persecuted sect lay in Elizabeth, so the chief hope which the former entertained of final success consisted in the person and in the title of

the queen of Scots; that this very circumstance brought matters to extremity between these princesses; and rendering the life of one the death of the other, pointed out to Elizabeth the path which either regard to self-preservation, or to the happiness of her people, should direct her to pursue: and that necessity, more powerful than policy, thus demanded of the queen that resolution which equity would authorize, and which duty prescribed.[**]

* Digges, p. 276. Strype, vol. ii. p. 48, 135, 136, 139.

** Camden, p. 533.

1587.

When Elizabeth thought that as many importunities had been used, and as much delay interposed, as decency required, she at last determined to carry the sentence into execution: but even in this final resolution she could not proceed without displaying a new scene of duplicity and artifice. In order to alarm the vulgar, rumors were previously dispersed, that the Spanish fleet was arrived in Milford Haven; that the Scots had made an irruption into England; that the duke of Guise was landed in Sussex with a strong army; that the queen of Scots was escaped from prison, and had raised an army; that the northern counties had begun an insurrection; that there was a new conspiracy on foot to assassinate the queen, and set the city of London on fire; nay, that the queen was actually assassinated.[*] An attempt of this nature was even imputed to L'Aubespine, the French ambassador; and that minister was obliged to leave the kingdom. The queen, affecting to be in terror and perplexity, was observed to sit much alone, pensive and silent; and sometimes to mutter to herself half sentences, importing the difficulty and distress to which she was reduced.[**]

* Camden, p. 533.

** Camden, p. 534.

She at last called Davison, a man of parts, but easy to be imposed on, and who had lately for that very reason been made secretary, and she ordered him privately to draw a warrant for the execution of the queen of Scots; which, she afterwards said, she intended to keep by her, in case any attempt should be made for the deliverance of that princess. She signed the warrant; and then commanded Davison to carry it to the chancellor, in order to have the great seal appended to it. Next day she sent Killigrew to Davison, enjoining him to forbear, some time, executing her former orders; and when Davison came and told her that the warrant had already passed the great seal, she seemed to be somewhat moved, and blamed him for his precipitation. Davison, being in perplexity, acquainted the council with this whole transaction; and they endeavored to persuade him to send off Beale with the warrant: if the queen should be displeased, they promised to justify his conduct, and to take on themselves the whole blame of this measure.[*] The secretary, not sufficiently aware of their intention, complied with the advice; and the warrant was despatched to the earls of Shrewsbury and Kent, and some others, ordering them to see the sentence executed upon the queen of Scots.

The two earls came to Fotheringay Castle, and being introduced to Mary, informed her of their commission, and desired her to prepare for death next morning at eight o'clock. She seemed nowise terrified, though somewhat surprised, with the intelligence. She said with a cheerful, and even a smiling countenance, that she did not think the queen, her sister, would have consented to her death, or have executed the sentence against a person not subject to the laws and jurisdiction of England. "But as such is her will," said she, "death, which puts an end to all my miseries, shall be to me most welcome; nor can I esteem that soul worthy the felicities of

heaven, which cannot support the body under the horrors of the last passage to these blissful mansions."[**] She then requested the two noblemen, that they would permit some of her servants, and particularly her confessor, to attend her; but they told her, that compliance with this last demand was contrary to their conscience; [***] and that Dr. Fletcher, dean of Peterborough, a man of great learning, should be present to instruct her in the principles of true religion. Her refusal to have any conference with this divine inflamed the zeal of the earl of Kent; and he bluntly told her, that her death would be the life of their religion; as, on the contrary, her life would have been the death of it. Mention being made of Babington, she constantly denied his conspiracy to have been at all known to her; and the revenge of her wrongs she resigned into the hands of the Almighty.

* It appears, by some letters published by Strype, vol. iii. book ii c., that Elizabeth had not expressly communicated her intention to any of her ministers, not even to Burleigh: they were such experienced courtiers, that they knew they could not gratify her more than by serving her without waiting till she desired them.

** Camden, p. 534. Jebb, vol. ii. p. 301. MS. in the Advocates Library, p. 2, from the Cott. Lib. Cal. c. 9.

*** Jebb, vol. ii. p. 302.

When the earls had left her, she ordered supper to be hastened, that she might have the more leisure after it to finish the few affairs which remained to her in this world, and to prepare for her passage to another. It was necessary for her, she said, to take some sustenance, lest a failure of her bodily strength should depress her spirits on the morrow, and lest her behavior should thereby betray a weakness unworthy of herself.[*] She supped sparingly, as her manner usually was; and her wonted cheerfulness did not even desert her on this occasion. She comforted her servants under the affliction which overwhelmed them, and which was too violent for them to conceal it from her. Turning to Burgoin, her physician, she asked him, whether he did not remark the great and invincible force of truth. "They pretend," said she, "that I must die, because I conspired against their queen's life: but the earl of Kent avowed, that there was no other cause of my death, than the apprehensions which, if I should live, they entertain for their religion. My constancy in the faith is my real crime: the rest is only a color, invented by interested and designing men." Towards the end of supper, she called in all her servants, and drank to them: they pledged her, in order, on their knees; and craved her pardon for any past neglect of their duty: she deigned, in return, to ask their pardon for her offences towards them; and a plentiful effusion of tears attended this last solemn farewell, and exchange of mutual forgiveness.[**]

* Jebb, vol. ii. p. 489.

** Jebb, vol. ii. p. 302, 626. Camden, p. 534.

Mary's care of her servants was the sole remaining affair which employed her concern. She perused her will, in which she had provided for them by legacies: she ordered the inventory of her goods, clothes, and jewels to be brought her: and she wrote down the names of those to whom she bequeathed each particular: to some she distributed money with her own hands; and she adapted the recompense to their different degrees of rank and merit. She wrote also

letters of recommendation for her servants to the French king, and to her cousin the duke of Guise, whom she made the chief executor of her testament. At her wonted time, she went to bed; slept some hours; and, then rising, spent the rest of the night in prayer. Having foreseen the difficulty of exercising the rites of her religion, she had had the precaution to obtain a consecrated host from the hands of Pope Pius; and she had reserved the use of it for this last period of her life. By this expedient she supplied, as much as she could, the want of a priest and confessor, who was refused her.[*]

* Jebb, vol. ii. p, 489.

Towards the morning, she dressed herself in a rich habit of silk and velvet, the only one which she had reserved to herself. She told her maids, that she would willingly have left them this dress, rather than the plain garb which she wore the day before: but it was necessary for her to appear at the ensuing solemnity in a decent habit.

Thomas Andrews, sheriff of the county, entered the room, and informed her that the hour was come, and that he must attend her to the place of execution. She replied, that she was ready; and bidding adieu to her servants, she leaned on two of Sir Amias Paulet's guards, because of an infirmity in her limbs; and she followed the sheriff with a serene and composed countenance. In passing through a hall adjoining to her chamber, she was met by the earls of Shrewsbury and Kent, Sir Amias Paulet, Sir Drue Drury, and many other gentlemen of distinction. Here she also found Sir Andrew Melvil, her steward, who flung himself on his knees before her; and wringing his hands, cried aloud, "Ah, madam! unhappy me! what man was ever before the messenger of such heavy tidings as I must carry, when I shall return to my native country, and shall report, that I saw my gracious queen and mistress beheaded in England?" His tears prevented further speech; and Mary too felt herself moved, more from sympathy than affliction. "Cease, my good servant," said she, "cease to lament: thou hast cause rather to rejoice than to mourn: for now shalt thou see the troubles of Mary Stuart receive their long-expected period and completion. Know," continued she, "good servant, that all the world at best is vanity, and subject still to more sorrow than a whole ocean of tears is able to bewail. But I pray thee carry this message from me, that I die a true woman to my religion, and unalterable in my affections to Scotland and to France. Heaven forgive them that have long desired my end, and have thirsted for my blood as the hart panteth after the water brooks!" "O God," added she, "thou art the author of truth, and truth itself; thou knowest the inmost recesses of my heart: thou knowest that I was ever desirous to preserve an entire union between Scotland and England, and to obviate the source of all these fatal discords. But recommend me, Melvil, to my son; and tell him, that notwithstanding all my distresses, I have done nothing prejudicial to the state and kingdom of Scotland." After these words, reclining herself, with weeping eyes, and face bedewed with tears, she kissed him. "And so," said she, "good Melvil, farewell: once again, farewell, good Melvil; and grant the assistance of thy prayers to thy queen and mistress."[*]

* MS. p. 4. Jebb, vol. ii. p. 634. Strype, vol iii. p. 384.

She next turned to the noblemen, who attended her, and made a petition in behalf of her servants, that they might be well treated, be allowed to enjoy the presents which she had made them, and be sent safely into their own country. Having received a favorable answer, she preferred another request, that they might be permitted to attend her at her death; "in order," said she, "that their eyes may behold, and their hearts bear witness, how patiently their queen and mistress can submit to her execution, and how constantly she perseveres in her attachment to her religion." The earl of Kent opposed this desire, and told her that they would be apt, by their speeches and cries, to disturb both herself and the spectators: he was also

apprehensive lest they should practise some superstition, not meet for him to suffer; such as dipping their handkerchiefs in her blood: for that was the instance which he made use of. "My lord," said the queen of Scots, "I will give my word (although it be but dead) that they shall not incur any blame in any of the actions which you have named. But alas! poor souls! it would be a great consolation to them to bid their mistress farewell. And I hope," added she, "that your mistress, being a maiden queen, would vouchsafe, in regard of womanhood, that I should have some of my own people about me at my death. I know that her majesty hath not given you any such strict command, but that you might grant me a request of far greater courtesy, even though I were a woman of inferior rank to that which I bear." Finding that the earl of Kent persisted still in his refusal, her mind, which had fortified itself against the terrors of death, was affected by this indignity, for which she was not prepared. "I am cousin to your queen," cried she, "and descended from the blood royal of Henry VII., and a married queen of France, and an anointed queen of Scotland." The commissioners, perceiving how invidious their obstinacy would appear, conferred a little together, and agreed that she might carry a few of her servants along with her. She made choice of four men and two maid servants for that purpose.

She then passed into another hall, where was erected the scaffold, covered with black; and she saw, with an undismayed countenance, the executioners and all the preparations of death. The room was crowded with spectators; and no one was so steeled against all sentiments of humanity, as not to be moved, when he reflected on her royal dignity, considered the surprising train of her misfortunes, beheld her mild but inflexible constancy, recalled her amiable accomplishments, or surveyed her beauties, which, though faded by years, and yet more by her afflictions, still discovered themselves in this fatal moment. Here the warrant for her execution was read to her; and during this ceremony she was silent, but showed, in her behavior, an indifference and unconcern, as if the business had nowise regarded her. Before the executioners performed their office, the dean of Peterborough stepped forth; and though the queen frequently told him that he needed not concern himself about her, that she was settled in the ancient Catholic and Roman religion, and that she meant to lay down her life in defence of that faith, he still thought it his duty to persist in his lectures and exhortations, and to endeavor her conversion. The terms which he employed were, under color of pious instructions, cruel insults on her unfortunate situation; and besides their own absurdity, may be regarded as the most mortifying indignities to which she had ever yet been exposed. He told her, that the queen of England had on this occasion shown a tender care of her; and notwithstanding the punishment justly to be inflicted on her, for her manifold trespasses, was determined to use every expedient for saving her soul from that destruction with which it was so nearly threatened: that she was now standing upon the brink of eternity, and had no other means of escaping endless perdition, than by repenting her former wickedness, by justifying the sentence pronounced against her, by acknowledging the queen's favors, and by exerting a true and lively faith in Christ Jesus: that the Scriptures were the only rule of doctrine, the merits of Christ the only means of salvation; and if she trusted in the inventions or devices of men, she must expect in an instant to fall into utter darkness, into a place where shall be weeping howling, and gnashing of teeth: that the and of death was upon her, the axe was laid to the root of the tree, the throne of the great Judge of heaven was erected, the book of her life was spread wide, and the particular sentence and judgment was ready to be pronounced upon her: and that it was now, during this important moment, in her choice, either to rise to the resurrection of life, and hear that joyful salutation, "Come, ye blessed of my Father," or to share the resurrection of condemnation, replete with sorrow and anguish; and to suffer that dreadful denunciation, "Go, ye cursed, into everlasting fire."[*]

During this discourse, Mary could not sometimes forbear betraying her impatience, by interrupting the preacher; and the dean, finding that he had profited nothing by his lecture, at

last bade her change her opinion, repent her of her former wickedness, and settle her faith upon this ground, that only in Christ Jesus could she hope to be saved. She answered, again and again, with great earnestness, "Trouble not yourself any more about the matter; for I was born in this religion, I have lived in this religion, and in this religion I am resolved to die." Even the two earls perceived that it was fruitless to harass her any further with theological disputes; and they ordered the dean to desist from his unseasonable exhortations, and to pray for her conversion. During the dean's prayer, she employed herself in private devotion from the office of the Virgin; and after he had finished, she pronounced aloud some petitions in English, for the afflicted church, for an end of her own troubles, for her son, and for Queen Elizabeth; and prayed God, that that princess might long prosper, and be employed in his service. The earl of Kent, observing that in her devotions she made frequent use of the crucifix, could not forbear reproving her for her attachment to that Popish trumpery, as he termed it; and he exhorted her to have Christ in her heart, not in her hand.[**] She replied, with presence of mind, that it was difficult to hold such an object in her hand without feeling her heart touched with some compunction.[***]

* MS. p 8, 9, 10, 11. Strype vol. iii. p. 385.

** MS. p. 15. Jebb, vol. ii. p 307, 191, 637.

*** Jebb, vol. ii. p. 307, 491, 637.

She now began, with the aid of her two women, to disrobe herself; and the executioner also lent his hand to assist them. She smiled, and said that she was not accustomed to undress herself before so large a company, nor to be served by such valets. Her servants, seeing her in this condition, ready to lay her head upon the block, burst into tears and lamentations: she turned about to them; put her finger upon her lips, as a sign of imposing silence upon them;[*] and having given them her blessing, desired them to pray for her.

* Jebb, p. 307, 492.

One of her maids, whom she had appointed for that purpose, covered her eyes with a handkerchief; she laid herself down without any sign of fear or trepidation, and her head was severed from her body at two strokes by the executioner. He instantly held it up to the spectators, streaming with blood, and agitated with the convulsions of death: the dean of Peterborough alone exclaimed, "So perish all Queen Elizabeth's enemies:" the earl of Kent alone replied, "Amen:" the attention of all the other spectators was fixed on the melancholy scene before them; and zeal and flattery alike gave place to present pity and admiration of the expiring princess.

Thus perished, in the forty-fifth year of her age, and nineteenth of her captivity in England, Mary, queen of Scots; a woman of great accomplishments both of body and mind, natural as well as acquired; but unfortunate in her life, and during one period very unhappy in her conduct. The beauties of her person and graces of her air combined to make her the most amiable of women; and the charms of her address and conversation aided the impression which her lovely figure made on the hearts of all beholders. Ambitious and active in her temper, yet inclined to cheerfulness and society; of a lofty spirit, constant and even vehement in her purpose, yet polite, and gentle, and affable in her demeanor; she seemed to partake only so much of the male virtues as to render her estimable, without relinquishing those soft graces which compose the proper ornament of her sex. In order to form a just idea of her character, we must set aside one part of her conduct, while she abandoned herself to the guidance of a

profligate man; and must consider these faults, whether we admit them to be imprudences or crimes, as the result of an inexplicable, though not uncommon inconstancy in the human mind of the frailty of our nature, of the violence of passion, and of the influence which situations, and sometimes momentary incidents, have on persons whose principles are not thoroughly confirmed by experience and reflection. Enraged by the ungrateful conduct of her husband, seduced by the treacherous counsels of one in whom she reposed confidence, transported by the violence of her own temper, which never lay sufficiently under the guidance of discretion; she was betrayed into actions which may with some difficulty be accounted for, but which admit of no apology, nor even of alleviation. An enumeration of her qualities might carry the appearance of a panegyric; an account of her conduct must, in some parts, wear the aspect of severe satire and invective.

* Jebb, p. 307, 492.

Her numerous misfortunes, the solitude of her long and tedious captivity, and the persecutions to which she had been exposed on account of her religion, had wrought her up to a degree of bigotry during her later years; and such were the prevalent spirit and principles of the age, that it is the less wonder, if her zeal, her resentment, and her interest uniting, induced her to give consent to a design which conspirators, actuated only by the first of these motives, had formed against the life of Elizabeth.

When the queen was informed of Mary's execution, she affected the utmost surprise and indignation. Her countenance changed; her speech faltered and failed her; for a long time, her sorrow was so deep that she could not express it, but stood fixed, like a statue, in silence and mute astonishment. After her grief was able to find vent, it burst out in loud wailings and lamentations; she put herself in deep mourning for this deplorable event; and she was seen perpetually bathed in tears, and surrounded only by her maids and women. None of her ministers or counsellors dared to approach her; or if any had such temerity, she chased them from her, with the most violent expressions of rage and resentment; they had all of them been guilty of an unpardonable crime, in putting to death her dear sister and kinswoman, contrary to her fixed purpose,[*] of which they were sufficiently apprised and acquainted.

* Camden, p. 586. Strype, vol. iii. Append. p. 146. Jebb. vol. ii p. 608

No sooner was her sorrow so much abated as to leave room for reflection, than she wrote a letter of apology to the king of Scots, and sent it by Sir Robert Cary, son of Lord Hunsdon. She there told him, that she wished he knew but not felt, the unutterable grief which she experienced on account of that lamentable accident which, without her knowledge, much less concurrence, had happened in England: that as her pen trembled when she attempted to write it, she found herself obliged to commit the relation of it to the messenger her kinsman; who would likewise inform his majesty of every circumstance attending this dismal and unlooked-for misfortune: that she appealed to the supreme Judge of heaven and earth for her innocence; and was also so happy amidst her other afflictions, as to find, that many persons in her court could bear witness to her veracity in this protestation: that she abhorred dissimulation; deemed nothing more worthy of a prince than a sincere and open conduct; and could never surely be esteemed so base and poor-spirited as that, if she had really given orders for this fatal execution, she could on any consideration be induced to deny them: that, though sensible of the justice of the sentence pronounced against the unhappy prisoner, she determined from clemency never to carry it into execution; and could not but resent the temerity of those who on this occasion had disappointed her intention: and that as no one loved him more dearly than

herself, or bore a more anxious concern for his welfare, she hoped that he would consider every one as his enemy who endeavored, on account of the present incident, to excite any animosity between them.[*]

In order the better to appease James, she committed Davison to prison, and ordered him to be tried in the star chamber for his misdemeanor. The secretary was confounded; and being sensible of the danger which must attend his entering into a contest with the queen, he expressed penitence for his error, and submitted very patiently to be railed at by those very counsellors whose persuasion had induced him to incur the guilt, and who had promised to countenance and protect him. He was condemned to imprisonment during the queen's pleasure, and to pay a fine of ten thousand pounds. He remained a long time in custody; and the fine, though it reduced him to beggary, was rigorously levied upon him. All the favor which he could obtain from the queen, was sending him small supplies from time to time, to keep him from perishing in necessity.[**]

* Camden, p. 536. Spotswood, p. 358.

** Camden, p. 538.

He privately wrote an apology to his friend Walsingham, which contains many curious particulars. The French and Scotch ambassadors, he said, had been remonstrating with the queen in Mary's behalf; and immediately after their departure, she commanded him, of her own accord to deliver her the warrant for the execution of that princess. She signed it readily, and ordered it to be sealed with the great seal of England. She appeared in such good humour on the occasion, that she said to him in a jocular manner, "Go, tell all this to Walsingham, who is now sick; though I fear he will die of sorrow when he hears of it." She added, that though she had so long delayed the execution, lest she should seem to be actuated by malice or cruelty, she was all along sensible of the necessity of it. In the same conversation, she blamed Drury and Paulet that they had not before eased her of this trouble; and she expressed her desire that Walsingham would bring them to compliance in that particular. She was so bent on this purpose, that some time after she asked Davison whether any letter had come from Paulet with regard to the service expected of him. Davison showed her Paulet's letter, in which that gentleman positively refused to act any thing inconsistent with the principles of honor and justice. The queen fell into a passion, and accused Paulet as well as Drury of perjury; because, having taken the oath of association, in which they had bound themselves to avenge her wrongs, they had yet refused to lend their hand on this occasion. "But others," she said, "will be found less scrupulous." Davison adds, that nothing but the consent and exhortations of the whole council could have engaged him to send off the warrant: he was well aware of his danger; and remembered that the queen, after having ordered the execution of the duke of Norfolk, had endeavored, in a like manner, to throw the whole blame and odium of that action upon Lord Burleigh.[*]

* Camden, p. 538. Strype, vol. iii. p. 375, 376. MS. in the Advocates' Library, A. 3. 28, p. 17, from the Cott. Lib. Calig. c. 9. Biog. Brit. p. 1625, 1627.

Elizabeth's dissimulation was so gross, that it could deceive nobody who was not previously resolved to be blinded; but as James's concern for his mother was certainly more sincere and cordial, he discovered the highest resentment, and refused to admit Cary into his presence. He recalled his ambassadors from England, and seemed to breathe nothing but war and vengeance. The states of Scotland, being assembled, took part in his anger; and professed that

they were ready to spend their lives and fortunes in revenge of his mother's death, and in defence of his title to the crown of England. Many of his nobility instigated him to take arms: Lord Sinclair, when the courtiers appeared in deep mourning, presented himself to the king arrayed in complete armor and said, that this was the proper mourning for the queen. The Catholics took the opportunity of exhorting James to make an alliance with the king of Spain, to lay immediate claim to the crown of England, and to prevent the ruin which, from his mother's example, he might conclude would certainly, if Elizabeth's power prevailed, overwhelm his person and his kingdom. The queen was sensible of the danger attending these counsels; and after allowing James some decent interval to vent his grief and anger, she employed her emissaries to pacify him, and to set before him every motive of hope or fear which might induce him to live in amity with her.

Walsingham wrote to Lord Thirlstone, James's secretary, a judicious letter to the same purpose. He said that he was much surprised to hear of the violent resolutions taken in Scotland, and of the passion discovered by a prince of so much judgment and temper as James: that a war, founded merely on the principle of revenge, and that, too, on account of an act of justice which necessity had extorted, would for ever be exposed to censure, and could not be excused by any principles of equity or reason: that if these views were deemed less momentous among princes, policy and interest ought certainly to be attended to; and these motives did still more evidently oppose all thoughts of a rupture with Elizabeth, and all revival of exploded claims to the English throne: that the inequality between the two kingdoms deprived James of any hopes of success, if he trusted merely to the force of his own state, and had no recourse to foreign powers for assistance: that the objections attending the introduction of succors from a more potent monarch, appeared so evident from all the transactions of history, that they could not escape a person of the king's extensive knowledge; but there were in the present case several peculiar circumstances, which ought forever to deter him from having recourse to so dangerous an expedient: that the French monarch, the ancient ally of Scotland, might willingly use the assistance of that kingdom against England, but would be displeased to see the union of these two kingdoms in the person of James; a union which would ever after exclude him from practising that policy, formerly so useful to the French, and so pernicious to the Scottish nation: that Henry, besides, infested with faction and domestic war, was not in a condition of supporting distant allies, much less would he expose himself to any hazard or expense, in order to aggrandize a near kinsman of the house of Guise, the most determined enemies of his repose and authority: that the extensive power and exorbitant ambition of the Spanish monarch rendered him a still more dangerous ally to Scotland; and as he evidently aspired to a universal monarchy in the west, and had in particular advanced some claims to England as if he were descended from the house of Lancaster, he was at the same time the common enemy of all princes who wished to maintain their independence, and the immediate rival and competitor of the king of Scots: that the queen by her own naval power and her alliance with the Hollanders, would probably intercept all succors which might be sent to James from abroad, and be enabled to decide the controversy in this island, with the superior forces of her own kingdom, opposed to those of Scotland: that if the king revived his mother's pretensions to the crown of England, he must also embrace her religion, by which alone they could be justified; and must thereby undergo the infamy of abandoning those principles in which he had been strictly educated; and to which he had hitherto religiously adhered: that as he would, by such an apostasy, totally alienate all the Protestants in Scotland and England, he could never gain the confidence of the Catholics, who would still entertain reasonable doubts of his sincerity: that by advancing a present claim to the crown, he forfeited the certain prospect of his succession; and revived that national animosity which the late peace and alliance between the kingdoms had happily extinguished: that the whole gentry and nobility of England had

openly declared themselves for the execution of the queen of Scots; and if James showed such violent resentment against that act of justice, they would be obliged, for their own security, to prevent forever so implacable a prince from ruling over them: and that, however some persons might represent his honor as engaged to seek vengeance for the present affront and injury, the true honor of a prince consisted in wisdom, and moderation, and justice, not in following the dictates of blind passion, or in pursuing revenge at the expense of every motive and every interest.[*]

* Strype, vol. iii. p. 377. Spotswood.

These considerations, joined to the peaceable, unambitious temper of the young prince, prevailed over his resentment, and he fell gradually into a good correspondence with the court of England. It is probable that the queen's chief object in her dissimulation with regard to the execution of Mary, was, that she might thereby afford James a decent pretence for renewing his amity with her, on which their mutual interests so much depended.

While Elizabeth insured tranquillity from the attempts of her nearest neighbor, she was not negligent of more distant dangers. Hearing that Philip, though he seemed to dissemble the daily insults and injuries which he received from the English, was secretly preparing a great navy to attack her, she sent Sir Francis Drake with a fleet to intercept his supplies, to pillage his coast, and to destroy his shipping. Drake carried out four capital ships of the queen's, and twenty-six, great and small, with which the London merchants, in hopes of sharing in the plunder, had supplied him. Having learned from two Dutch ships which he met with in his passage, that a Spanish fleet, richly laden, was lying at Cadiz, ready to sail for Lisbon, the rendezvous of the intended armada, he bent his course to the former harbor, and boldly, as well as fortunately, made an attack on the enemy. He obliged six galleys, which made head against him, to take shelter under the forts: he burned about a hundred vessels laden with ammunition and naval stores; and he destroyed a great ship of the marquis of Santa Croce. Thence he set sail for Cape St. Vincent, and took by assault the castle situated on that promontory, with three other fortresses. He next insulted Lisbon; and finding that the merchants, who had engaged entirely in expectation of profit, were discontented at these military enterprises, he set sail for the Terceras, with an intention of lying in wait for a rich carrack, which was expected in those parts. He was so fortunate as to meet with his prize; and by this short expedition, in which the public bore so small a share, the adventurers were encouraged to attempt further enterprises, the English seamen learned to despise the great unwieldy ships of the enemy, the naval preparations of Spain were destroyed, the intended expedition against England was retarded a twelvemonth, and the queen thereby had leisure to take more secure measures against that formidable invasion.[*]

* Camden, p. 540. Sir William Monson's Naval Tracts in Churchill's Voyages, vol. iii. p. 156.

This year, Thomas Cavendish, a gentleman of Devonshire, who had dissipated a good estate by living at court, being resolved to repair his fortune at the expense of the Spaniards fitted out three ships at Plymouth one of a hundred and twenty tons, another of sixty, and a third of forty; and with these small vessels he ventured into the South Sea, and committed great depredations on the Spaniards. He took nineteen vessels, some of which were richly laden; and returning by the Cape of Good Hope, he came to London, and entered the river in a kind of triumph. His mariners and soldiers were clothed in silk, his sails were of damask, his topsail cloth of gold; and his prizes were esteemed the richest that ever had been brought into England.[*]

* Birch's Memoirs, vol. i. p. 57.

The land enterprises of the English were not, during this campaign, so advantageous or honorable to the nation. The important place of Deventer was intrusted by Leicester to William Stanley, with a garrison of twelve hundred English; and this gentleman, being a Catholic, was alarmed at the discovery of Babington's conspiracy, and became apprehensive lest every one of his religion should thenceforth be treated with distrust in England. He entered into a correspondence with the Spaniards, betrayed the city to them for a sum of money, and engaged the whole garrison to desert with him to the Spanish service. Roland York, who commanded a fort near Zutphen, imitated his example; and the Hollanders, formerly disgusted with Leicester, and suspicious of the English, broke out into loud complaints against the improvidence, if not the treachery, of his administration. Soon after, he himself arrived in the Low Countries; but his conduct was nowise calculated to give them satisfaction, or to remove the suspicions which they had entertained against him. The prince of Parma having besieged Sluys, Leicester attempted to relieve the place, first by sea, then by land; but failed in both enterprises; and as he ascribed his bad success to the ill behavior of the Hollanders, they were equally free in reflections upon his conduct. The breach between them became wider every day: they slighted his authority, opposed his measures, and neglected his counsels; while he endeavored by an imperious behavior, and by violence, to recover that influence which he had lost by his imprudent and ill-concerted measures. He was even suspected by the Dutch of a design to usurp upon their liberties; and the jealousy entertained against him began to extend towards the queen herself. That princess had made some advances towards a peace with Spain: a congress had been opened at Bourbourg, a village near Graveline: and though the two courts, especially that of Spain, had no other intention than to amuse each of them its enemy by negotiation, and mutually relax the preparations for defence or attack, the Dutch, who were determined on no terms to return under the Spanish yoke, became apprehensive lest their liberty should be sacrificed to the political interests of England.[*] But the queen, who knew the importance of her alliance with the states during the present conjuncture, was resolved to give them entire satisfaction, by recalling Leicester, and commanding him to resign his government. Maurice son of the late prince of Orange, a youth of twenty years of age, was elected by the states governor in his place; and Peregrine Lord Willoughby was appointed by the queen commander of the English forces. The measures of these two generals were much embarrassed by the malignity of Leicester, who had left a faction behind him, and who still attempted, by means of his emissaries, to disturb all the operations of the states. As soon as Elizabeth received intelligence of these disorders, she took care to redress them; and she obliged all the partisans of England to fall into unanimity with Prince Maurice.[**] But though her good sense so far prevailed over her partiality to Leicester, she never could be made fully sensible of his vices and incapacity: the submissions which he made her restored him to her wonted favor; and Lord Buckhurst, who had accused him of misconduct in Holland, lost her confidence for some time, and was even committed to custody.

* Bentivoglio, part ii. lib. iv. Strype, vol. iv. No. 246.

* Rymer, tom. xv. p. 66.

Sir Christopher Hatton was another favorite who at this time received some marks of her partiality. Though he had never followed the profession of the law, he was made chancellor, in the place of Bromley, deceased; but, notwithstanding all the expectations, and perhaps wishes of the lawyers, he behaved in a manner not unworthy of that high station: his good natural

capacity supplied the place of experience and study; and his decisions were not found deficient, either in point of equity or judgment. His enemies had contributed to this promotion, in hopes that his absence from court, while he attended the business of chancery, would gradually estrange the queen from him, and give them an opportunity of undermining him in her favor.

1568.

These little intrigues and cabals of the court were silenced by the account which came from all quarters, of the vast preparations made by the Spaniards for the invasion of England, and for the entire conquest of that kingdom. Philip, though he had not yet declared war on account of the hostilities which Elizabeth every where committed upon him, had long harbored a secret and violent desire of revenge against her. His ambition also, and the hopes of extending his empire, were much encouraged by the present prosperous state of his affairs; by the conquest of Portugal, the acquisition of the East Indian commerce and settlements, and the yearly importation of vast treasures from America. The point on which he rested, his highest glory, the perpetual object of his policy, was to support orthodoxy and exterminate heresy; and as the power and credit of Elizabeth were the chief bulwark of the Protestants, he hoped, if he could subdue that princess, to acquire the eternal renown of reuniting the whole Christian world in the Catholic communion. Above all, his indignation against his revolted subjects in the Netherlands instigated him to attack the English, who had encouraged that insurrection; and who, by their vicinity, were so well enabled to support the Hollanders, that he could never hope to reduce these rebels, while the power of that kingdom remained entire and unbroken. To subdue England seemed a necessary preparative to the reestablishment of his authority in the Netherlands; and notwithstanding appearances, the former was in itself, as a more important, so a more easy undertaking than the latter. That kingdom lay nearer Spain than the Low Countries, and was more exposed to invasions from that quarter; after an enemy had once obtained entrance, the difficulty seemed to be over, as it was neither fortified by an or nature; a long peace had deprived it of all military discipline and experience; and the Catholics, in which it still abounded, would be ready, it was hoped, to join any invader who should free them from those persecutions under which they labored, and should revenge the death of the queen of Scots, on whom they had fixed all their affections. The fate of England must be decided in one battle at sea, and another at land; and what comparison between the English and Spaniards, either in point of naval force, or in the numbers, reputation, and veteran bravery of their armies? Besides the acquisition of so great a kingdom, success against England insured the immediate subjection of the Hollanders, who, attacked on every hand, and deprived of all support, must yield their stubborn necks to that yoke which they had so long resisted. Happily, this conquest, as it was of the utmost importance to the grandeur of Spain, would not at present be opposed by the jealousy of other powers, naturally so much interested to prevent the success of the enterprise. A truce was lately concluded with the Turks; the empire was in the hands of a friend and near ally; and France, the perpetual rival of Spain, was so torn with intestine commotions, that she had no leisure to pay attention to her foreign interests. This favorable opportunity, therefore, which might never again present itself, must be seized; and one bold effort made for acquiring that ascendant in Europe, to which the present greatness and prosperity of the Spaniards seemed so fully to entitle them.[*]

These hopes and motives engaged Philip, notwithstanding his cautious temper, to undertake this hazardous enterprise; and though the prince, now created by the pope duke of Parma, when consulted, opposed the attempt, at least represented the necessity of previously getting possession of some seaport town in the Netherlands, which might afford a retreat to the Spanish navy,[**] it was determined by the Catholic monarch to proceed immediately to the execution of his ambitious project.

* Camden. Strype, vol. iii. p. 512.

** Bentivoglio, part ii. lib. iv.

During some time, he had been secretly making preparations, out as soon as the resolution was fully taken, every part of his vast empire resounded with the noise of armaments, and all his ministers, generals, and admirals were employed in forwarding the design. The marquis of Santa Croce, a sea officer of great reputation and experience, was destined to command the fleet; and by his counsels were the naval equipments conducted. In all the ports of Sicily, Naples, Spain, and Portugal, artisans were employed in building vessels of uncommon size and force; naval stores were bought at a great expense; provisions amassed; armies levied and quartered in the maritime towns of Spain; and plans laid for fitting out such a fleet and embarkation as had never before had its equal in Europe. The military preparations in Flanders were no less formidable. Troops from all quarters were every moment assembling to reënforce the duke of Parma. Capizuchi and Spinelli conducted forces from Italy: the marquis of Borgaut, a prince of the house of Austria, levied troops in Germany; the Walloon and Burgundian regiments were completed or augmented: the Spanish infantry was supplied with recruits and an army of thirty-four thousand men was assembled in the Netherlands, and kept in readiness to be transported into England. The duke of Parma employed all the carpenters whom he could procure, either in Flanders or in Lower Germany and the coasts of the Baltic; and he built at Dunkirk and Newport, but especially at Antwerp, a great number of boats and flat-bottomed vessels, for the transporting of his infantry and cavalry. The most renowned nobility and princes of Italy and Spain were ambitious of sharing in the honor of this great enterprise. Don Amadseus of Savoy, Don John of Medicis, Vespasian Gonzaga, duke of Sabionetta, and the duke of Pastrana, hastened to join the army under the duke of Parma. About two thousand volunteers in Spain, many of them men of family, had enlisted in the service. No doubts were entertained but such vast preparations, conducted by officers of such consummate skill, must finally be successful. And the Spaniards, ostentatious of their power, and elated with vain hopes, had already denominated their navy the Invincible Armada.

News of these extraordinary preparations soon reached the court of London; and notwithstanding the secrecy of the Spanish council, and their pretending to employ this force in the Indies, it was easily concluded that they meant to make some effort against England. The queen had foreseen the invasion; and finding that she must now contend for her crown with the whole force of Spain, she made preparations for resistance; nor was she dismayed with that power, by which all Europe apprehended she must of necessity be overwhelmed. Her force, indeed, seemed very unequal to resist so potent an enemy. All the sailors in England amounted at that time to about fourteen thousand men.[*] The size of the English shipping was in general so small, that except a few of the queen's ships of war, there were not four vessels belonging to the merchants which exceeded four hundred tons.[**] The royal navy consisted of only twenty-eight sail,[***] many of which were of small size; none of them exceeded the bulk of our largest frigates, and most of them deserved rather the name of pinnaces than of ships.

* Monson, p. 256.

** Monson, p. 268.

*** Monson p. 157

The only advantage of the English fleet consisted in the dexterity and courage of the seamen, who, being accustomed to sail in tempestuous seas and expose themselves to all dangers, as much exceeded in this particular the Spanish mariners, as their vessels were inferior in size and force to those of that nation.[*] All the commercial towns of England were required to furnish ships for reenforcing this small navy; and they discovered, on the present occasion, great alacrity in defending their liberty and religion against those imminent perils with which they were menaced. The citizens of London, in order to show their zeal in the common cause, instead of fifteen vessels, which they were commanded to equip, voluntarily fitted out double the number.[**] The gentry and nobility hired, and armed, and manned forty-three ships at their own charge;[***] and all the loans of money which the queen demanded were frankly granted by the persons applied to. Lord Howard of Effingham, a man of courage and capacity, was admiral, and took on him the command of the navy: Drake, Hawkins, and Frobisher, the most renowned seamen in Europe, served under him. The principal fleet was stationed at Plymouth. A smaller squadron, consisting of forty vessels, English and Flemish, was commanded by Lord Seymour, second son of Protector Somerset; and lay off Dunkirk, in order to intercept the duke of Parma.

* Monson, p. 321.

** Monsm, p. 267

*** Lives of the Admirals, vol. i. p. 451.

The land forces of England, compared to those of Spain, possessed contrary qualities to its naval power: they were more numerous than the enemy, but much inferior in discipline, reputation, and experience. An army of twenty thousand men was disposed in different bodies along the south coast; and orders were given them, if they could not prevent the landing of the Spaniards, to retire backwards, to waste the country around, and to wait for reenforcement from the neighboring counties, before they approached the enemy. A body of twenty-two thousand foot and a thousand horse, under the command of the earl of Leicester, was stationed at Tilbury in order to defend the capital. The principal army consisted of thirty-four thousand foot and two thousand horse, and was commanded by Lord Hunsdon. These forces were reserved for guarding the queen's person, and were appointed to march whithersoever the enemy should appear. The fate of England, if all the Spanish armies should be able to land, seemed to depend on the issue of a single battle; and men of reflection entertained the most dismal apprehensions, when they considered the force of fifty thousand veteran Spaniards, commanded by experienced officers, under the duke of Parma, the most consummate general of the age; and compared this formidable armament with the military power which England, not enervated by peace, but long disused to war, could muster up against it.

The chief support of the kingdom seemed to consist in the vigor and prudence of the queen's conduct; who, undismayed by the present dangers, issued all her orders with tranquillity, animated her people to a steady resistance, and employed every resource which either her domestic situation or her foreign alliances could afford her. She sent Sir Robert Sidney into Scotland; and exhorted the king to remain attached to her, and to consider the danger which at present menaced his sovereignty no less than her own, from the ambition of the Spanish tyrant:[*] the ambassador found James well disposed to cultivate a union with England; and that prince even kept himself prepared to march with the force of his whole kingdom to the assistance of Elizabeth. Her authority with the king of Denmark, and the tie of their common religion, engaged this monarch, upon her application, to seize a squadron of ships which Philip had bought or hired in the Danish harbors:[**] the Hanse Towns, though not at that time on

good terms with Elizabeth, were induced, by the same motives, to retard so long the equipment of some vessels in their ports, that they became useless to the purpose of invading England. All the Protestants throughout Europe regarded this enterprise as the critical event which was to decide forever the fate of their religion; and though unable, by reason of their distance, to join their force to that of Elizabeth, they kept their eyes fixed on her conduct and fortune, and beheld with anxiety, mixed with admiration, the intrepid countenance with which she encountered that dreadful tempest which was every moment advancing towards her.

* She made him some promises which she never fulfilled, to give him a dukedom in England, with suitable lands and revenue, to settle five thousand pounds a year on him, and pay him a guard, for the safety of his person. From a MS. of Lord Hoyston's.

** Strype, vol. iii. p. 524.

The queen also was sensible that, next to the general popularity which she enjoyed, and the confidence which her subjects reposed in her prudent government, the firmest support of her throne consisted in the general zeal of the people for the Protestant religion, and the strong prejudices which they had imbibed against Popery. She took care, on the present occasion, to revive in the nation this attachment to their own sect, and this abhorrence of the opposite. The English were reminded of their former danger from the tyranny of Spain: all the barbarities exercised by Mary against the Protestants were ascribed to the counsels of that bigoted and imperious nation: the bloody massacres in the Indies, the unrelenting executions in the Low Countries, the horrid cruelties and iniquities of the inquisition, were set before men's eyes: a list and description was published, and pictures dispersed, of the several instruments of torture with which, it was pretended, the Spanish armada was loaded: and every artifice, as well as reason, was employed, to animate the people to a vigorous defence of their religion, their laws, and their liberties.

But while the queen, in this critical emergence, roused the animosity of the nation against Popery, she treated the partisans of that sect with moderation, and gave not way to an undistinguishing fury against them. Though she knew that Sixtus Quintus, the present pope, famous for his capacity and his tyranny, had fulminated a new bull of excommunication against her, had deposed her, had absolved her subjects from their oaths of allegiance, had published a crusade against England, and had granted plenary indulgences to every one engaged in the present invasion, she would not believe that all her Catholic subjects could be so blinded as to sacrifice to bigotry their duty to their sovereign, and the liberty and independence of their native country. She rejected all violent counsels, by which she was urged to seek pretences for despatching the leaders of that party: she would not even confine any considerable number of them: and the Catholics, sensible of this good usage, generally expressed great zeal for the public service. Some gentlemen of that sect, conscious that they could not justly expect any trust or authority, entered themselves as volunteers in the fleet or army:[*] some equipped ships at their own charge, and gave the command of them to Protestants: others were active in animating their tenants, and vassals, and neighbors, to the defence of their country: and every rank of men, burying for the present all party distinctions, seemed to prepare themselves, with order as well as vigor, to resist the violence of these invaders.

* Stowe, p. 747.

The more to excite the martial spirit of the nation, the queen appeared on horseback in the camp at Tilbury; and riding through the lines, discovered a cheerful and animated countenance, exhorted the soldiers to remember their duty to their country and their religion, and professed her intention, though a woman, to lead them herself into the field against the enemy, and rather to perish in battle than survive the ruin and slavery of her people.[*] 28

* See note BB, at the end of the volume.

By this spirited behavior she revived the tenderness and admiration of the soldiery: an attachment to her person became a kind of enthusiasm among them: and they asked one another, whether it were possible that Englishmen could abandon this glorious cause, could display less fortitude than appeared in the female sex, or could ever, by any dangers, be induced to relinquish the defence of their heroic princess.

The Spanish armada was ready in the beginning of May; but the moment it was preparing to sail, the marquis of Santa Croce, the admiral, was seized with a fever, of which he soon after died. The vice-admiral, the duke of Paliano, by a strange concurrence of accidents, at the very same time suffered the same fate; and the king appointed for admiral the duke of Medina Sidonia, a nobleman of great family, but unexperienced in action, and entirely unacquainted with sea affairs. Alcarede was appointed vice-admiral. This misfortune, besides the loss of so great an officer as Santa Croce, retarded the sailing of the armada, and gave the English more time for their preparations to oppose them. At last the Spanish fleet, full of hopes and alacrity, set sail from Lisbon; but next day met with a violent tempest, which scattered the ships, sunk some of the smallest, and forced the rest to take shelter in the Groine, where they waited till they could be refitted. When news of this event was carried to England, the queen concluded that the design of an invasion was disappointed for this summer; and being always ready to lay hold on every pretence for saving money, she made Walsingham write to the admiral, directing him to lay up some of the larger ships, and to discharge the seamen: but Lord Effingham, who was not so sanguine in his hopes, used the freedom to disobey these orders; and he begged leave to retain all the ships in service, though it should be at his own expense.[*] He took advantage of a north wind, and sailed towards the coast of Spain, with an intention of attacking the enemy in their harbors; but the wind changing to the south, he became apprehensive lest they might have set sail, and by passing him at sea, invade England, now exposed by the absence of the fleet. He returned, therefore, with the utmost expedition to Plymouth, and lay at anchor in that harbor.

Meanwhile all the damages of the armada were repaired; and the Spaniards with fresh hopes set out again to sea, in prosecution of their enterprise. The fleet consisted of a hundred and thirty vessels, of which near a hundred were galleons, and were of greater size than any ever before used in Europe. It carried on board nineteen thousand two hundred and ninety-five soldiers, eight thousand four hundred and fifty-six mariners, two thousand and eighty-eight galley slaves, and two thousand six hundred and thirty great pieces of brass ordnance. It was victualled for six months; and was attended by twenty lesser ships, called caravals, and ten salves with six oars apiece.[**]

The plan formed by the king of Spain was, that the armada should sail to the coast opposite to Dunkirk and Newport; and having chased away all English or Flemish vessels which might obstruct the passage, (for it was never supposed they could make opposition,) should join themselves with the duke of Parma, should thence make sail to the Thames, and having landed the whole Spanish army, thus complete at one blow the entire conquest of England. In prosecution of this scheme, Philip gave orders to the duke of Medina, that in passing along the Channel, he should sail as near the coast of France as he could with safety; that he should by this policy avoid meeting with the English fleet; and, keeping in view the main enterprise,

should neglect all smaller successes which might prove an obstacle, or even interpose a delay, to the acquisition of a kingdom.[***]

* Camden, p. 545.

** Strype, vol. iii. Append. p. 221.

*** Monson, p. 1.

After the armada was under sail, they took a fisherman, who informed them that the English admiral had been lately at sea, had heard of the tempest which scattered the armada, had retired back into Plymouth and no longer expecting an invasion this season, had laid up his ships, and discharged most of the seamen. From this false intelligence the duke of Medina conceived the great facility of attacking and destroying the English ships in harbor; and he was tempted, by the prospect of so decisive an advantage, to break his orders, and make sail directly for Plymouth; a resolution which proved the safety of England. The Lizard was the first land made by the armada, about sunset; and as the Spaniards took it for the Ram Head near Plymouth, they bore out to sea with an intention of returning next day, and attacking the English navy. They were descried by Fleming, a Scottish pirate, who was roving in those seas, and who immediately set sail, to inform the English admiral of their approach;[*] another fortunate event, which contributed extremely to the safety of the fleet. Effingham had just time to get out of port, when he saw the Spanish armada coming full sail towards him, disposed in the form of a crescent, and stretching the distance of seven miles from the extremity of one division to that of the other.

The writers of that age raise their style by a pompous description of this spectacle; the most magnificent that had ever appeared upon the ocean, infusing equal terror and admiration into the minds of all beholders. The lofty masts, the swelling sails, and the towering prows of the Spanish galleons, seem impossible to be justly painted, but by assuming the colors of poetry; and an eloquent historian of Italy, in imitation of Camden, has asserted, that the armada, though the ships bore every sail, yet advanced with a slow motion; as if the ocean groaned with supporting, and the winds were tired with impelling, so enormous a weight.[**] The truth, however, is, that the largest of the Spanish vessels would scarcely pass for third-rates in the present navy of England; yet were they so ill framed, or so ill governed, that they were quite unwieldy, and could not sail upon a wind, nor tack on occasion, nor be managed in stormy weather by the seamen. Neither the mechanics of ship-building, nor the experience of mariners, had attained so great perfection as could serve for the security and government of such bulky vessels; and the English, who had already had experience how unserviceable they commonly were, beheld without dismay their tremendous appearance.

* Monson, p. 158.

** Bentivoglio, part ii. lib. iv.

Effingham gave orders not to come to close fight with the Spaniards; where the size of the ships, he suspected, and the numbers of the soldiers, would be a disadvantage to the English; but to cannonade them at a distance, and to wait the opportunity which winds, currents, or various accidents must afford him of intercepting some scattered vessels of the enemy. Nor was it long before the event answered expectation A great ship of Biscay, on board of which was a considerable part of the Spanish money, took fire by accident; and while all hands were employed in extinguishing the flames, she fell behind the rest of the armada: the great galleon

of Andalusia was detained by the springing of her mast: and both these vessels were taken, after some resistance, by Sir Francis Drake. As the armada advanced up the Channel, the English hung upon its rear, and still infested it with skirmishes. Each trial abated the confidence of the Spaniards, and added courage to the English; and the latter soon found, that even in close fight the size of the Spanish ships was no advantage to them. Their bulk exposed them the more to the fire of the enemy; while their cannon, placed too high, shot over the heads of the English. The alarm having now reached, the coast of England, the nobility and gentry hastened out, with their vessels from every harbor, and reënforced the admiral. The earls of Oxford, Northumberland, and Cumberland, Sir Thomas Cecil, Sir Robert Cecil, Sir Walter Raleigh, Sir Thomas Vavasor, Sir Thomas Gerrard, Sir Charles Blount, with many others, distinguished themselves by this generous and disinterested service of their country. The English fleet, after the conjunction of those ships, amounted to a hundred and forty sail.

The armada had now reached Calais, and cast anchor before that place, in expectation that the duke of Parma, who had gotten intelligence of their approach, would put to sea and join his forces to them. The English admiral practised here a successful stratagem upon the Spaniards. He took eight of his smaller ships, and filling them with all combustible materials, sent them, one after another, into the midst of the enemy. The Spaniards fancied that they were fireships of the same contrivance with a famous vessel which had lately done so much execution in the Schelde near Antwerp; and they immediately cut their cables, and took to flight with the greatest disorder and precipitation. The English fell upon them next morning while in confusion; and besides doing great damage to other ships, they took or destroyed about twelve of the enemy.

By this time, it was become apparent, that the intention for which these preparations were made by the Spaniards was entirely frustrated. The vessels provided by the duke of Parma were made for transporting soldiers, not for fighting; and that general, when urged to leave the harbor, positively refused to expose his flourishing army to such apparent hazard; while the English not only were able to keep the sea, but seemed even to triumph over their enemy. The Spanish admiral found, in many rencounters, that while he lost so considerable a part of his own navy, he had destroyed only one small vessel of the English; and he foresaw, that by continuing so unequal a combat, he must draw inevitable destruction on all the remainder. He prepared, therefore, to return homewards; but as the wind was contrary to his passage through the Channel, he resolved to sail northwards, and making the tour of the island, reach the Spanish harbors by the ocean. The English fleet followed him during some time; and had not their ammunition fallen short, by the negligence of the offices in supplying them, they had obliged the whole armada to surrender at discretion. The duke of Medina had once taken that resolution, but was diverted from it by the advice of his confessor. This conclusion of the enterprise would have been more glorious to the English; but the event proved almost equally fatal to the Spaniards. A violent tempest overtook the armada after it passed the Orkneys; the ships had already lost their anchors, and were obliged to keep to sea: the mariners, unaccustomed to such hardships, and not able to govern such unwieldy vessels, yielded to the fury of the storm, and allowed their ships to drive either on the western isles of Scotland, or on the coast of Ireland, where they were miserably wrecked. Not a half of the navy returned to Spain; and the seamen as well as soldiers who remained, were so overcome with hardships and fatigue, and so dispirited by their discomfiture, that they filled all Spain with accounts of the desperate valor of the English and of the tempestuous violence of that ocean which surrounds them.

Such was the miserable and dishonorable conclusion of an enterprise which had been preparing for three years, which had exhausted the revenue and force of Spain, and which had long filled all Europe with anxiety or expectation. Philip, who was a slave to his ambition, but had an

entire command over his countenance, no sooner heard of the mortifying event which blasted all his hopes, than he fell on his knees, and rendering thanks for that gracious dispensation of Providence expressed his joy that the calamity was not greater. The Spanish priests, who had so often blessed this holy crusade and foretold its infallible success, were somewhat at a loss to account for the victory gained over the Catholic monarch by excommunicated heretics and an execrable usurper: but they at last discovered, that all the calamities of the Spaniards had proceeded from their allowing the infidel Moors to live among them.[*] 29

1589.

Soon after the defeat and dispersion of the Spanish armada, the queen summoned a new parliament, and received from them a supply of two subsidies and four fifteenths, payable in four years. This is the first instance that subsidies were doubled in one supply; and so unusual a concession was probably obtained from the joy of the present success, and from the general sense of the queen's necessities. Some members objected to this heavy charge, on account of the great burden of loans which had lately been imposed upon the nation.[**] 30

Elizabeth foresaw that this house of commons, like all the foregoing, would be governed by the Puritans; and therefore, to obviate their enterprises, she renewed, at the beginning of the session, her usual injunction, that the parliament should not on any account presume to treat of matters ecclesiastical. Notwithstanding this strict inhibition, the zeal of one Damport moved him to present a bill to the commons for remedying spiritual grievances, and for restraining the tyranny of the ecclesiastical commission, which were certainly great: but when Mr. Secretary Woley reminded the house of her majesty's commands, no one durst second the motion; the bill was not so much as read; and the speaker returned it to Damport without taking the least notice of it.[***] Some members of the house, notwithstanding the general submission were even committed to custody on account of this attempt.[****]

* See note CC, at the end of the volume.

** See note DD, at the end of the volume.

*** D'Ewes, p. 438.

**** Strype's Life of Whitgift, p. 280. Neal, vol. i. p. 500.

The imperious conduct of Elizabeth appeared still more clearly in another parliamentary transaction. The right of purveyance was an ancient prerogative, by which the officers of the crown could at pleasure take provisions for the household from all the neighboring counties, and could make use of the carts and carriages of the farmers; and the price of these commodities and services was fixed and stated. The payment of the money was often distant and uncertain; and the rates, being fixed before the discovery of the West Indies, were much inferior to the present market price; so that purveyance, besides the slavery of it, was always regarded as a great burden, and being arbitrary and casual, was liable to great abuses. We may fairly presume, that the hungry courtiers of Elizabeth, supported by her unlimited power, would be sure to render this prerogative very oppressive to the people; and the commons had, last session, found it necessary to pass a bill for regulating these exactions: but the bill was lost in the house of peers.[*] The continuance of the abuses begat a new attempt for redress; and the same bill was now revived, and again sent up to the house of peers, together with a bill for some new regulations in the court of exchequer. Soon after, the commons received a message from the upper house, desiring them to appoint a committee for a conference. At this conference, the peers informed them, that the queen, by a message delivered by Lord Burleigh,

had expressed her displeasure that the commons should presume to touch on her prerogative. If there were any abuses, she said, either in imposing purveyance, or in the practice of the court of exchequer, her majesty was both able and willing to provide due reformation; but would not permit the parliament to intermeddle in these matters.[**]

* D'Ewes, p. 434.

** D'Ewes, p. 440.

The commons, alarmed at this intelligence, appointed another committee to attend the queen, and endeavor to satisfy her of their humble and dutiful intentions. Elizabeth gave a gracious reception to the committee: she expressed her great "inestimable loving care" towards her loving subjects; which, she said, was greater than of her own self, or even than any of them could have of themselves. She told them, that she had already given orders for an inquiry into the abuses attending purveyance, but the dangers of the Spanish invasion had retarded the progress of the design; that she had as much skill, will, and power to rule her household as any subjects whatsoever to govern theirs, and needed as little the assistance of her neighbors; that the exchequer was her chamber, consequently more near to her than even her house' bold, and therefore the less proper for them to intermeddle with; and that she would of herself, with advice of her council and the judges, redress every grievance in these matters, but would not permit the commons, by laws moved without her privity, to bereave her of the honor attending these regulations.[*] The issue of this matter was the same that attended all contests between Elizabeth and her parliaments.[**] She seems even to have been more imperious, in this particular, than her predecessors; at least her more remote ones: for they often permitted the abuses of purveyance[***] 31to be redressed by law.[****] Edward III., a very arbitrary prince, allowed ten several statutes to be enacted for that purpose.

* D'Ewes, p. 444.

** Si rixa est, ubi tu pulsus, ego vapulo tantum. Juv.

*** See note EE, at the end of the volume.

**** See the statutes under the head of Purveyance.

In so great awe did the commons stand of every courtier, as well as of the crown, that they durst use no freedom of speech which they thought would give the least offence to any of them. Sir Edward Hobby showed in the house his extreme grief, that by some great personage, not a member of the house, he had been sharply rebuked for speeches delivered in parliament: he craved the favor of the house, and desired that some of the members might inform that great personage of his true meaning and intention in these speeches.[*] The commons, to obviate these inconveniencies, passed a vote that no one should reveal the secrets of the house.[**]

* D'Ewes, p. 432, 433.

** An act was passed this session, enforcing the former statute, which imposed twenty pounds a month on everyone absent from public worship: but the penalty was restricted to two thirds of the income of the recusant. 29 Eliz. c. 6.

The discomfiture of the armada had begotten in the nation a kind of enthusiastic passion for enterprises against Spain; and nothing seemed now impossible to be achieved by the valor and fortune of the English. Don Antonio, prior of Crato, a natural son of the royal family of Portugal, trusting to the aversion of his countrymen against the Castilians, had advanced a claim to the crown; and flying first to France, thence to England, had been encouraged both by Henry and Elizabeth in his pretensions. A design was formed by the people, not the court of England, to conquer the kingdom for Don Antonio: Sir Francis Drake and Sir John Norris were the leaders in this romantic enterprise: near twenty thousand volunteers[*] enlisted themselves in the service: and ships were hired, as well as arms provided, at the charge of the adventurers. The queen's frugality kept her from contributing more than sixty thousand pounds to the expense; and she only allowed six of her ships of war to attend the expedition.[**] There was more spirit and bravery than foresight or prudence in the conduct of this enterprise. The small stock of the adventurers did not enable them to buy either provisions or ammunition sufficient for such an undertaking; they even wanted vessels to stow the numerous volunteers who crowded to them; and they were obliged to seize by force some ships of the Hanse Towns, which they met with at sea; an expedient which set them somewhat at ease in point of room for their men, but remedied not the deficiency of their provisions.[***]

* Birch's Memoirs of Queen Elizabeth, vol. i. p. 61. Monson (p. 267) says that there were only fourteen thousand soldiers and four thousand seamen in the whole on this expedition: but the account contained in Dr. Birch is given by one of the most considerable of the adventurers.

** Monson, p. 267.

*** Monson, p. 159.

Had they sailed directly to Portugal, it is believed that the good will of the people, joined to the defenceless state of the country, might have insured them of success: but hearing that great preparations were making at the Groine for the invasion of England, they were induced to go thither, and destroy this new armament of Spain. They broke into the harbor; burned some ships of war, particularly one commanded by Recalde, vice-admiral of Spain; they defeated an army of four or five thousand men, which was assembled to oppose them; they assaulted the Groine, and took the lower town, which they pillaged; and they would have taken the higher, though well fortified, had they not found their ammunition and provisions beginning to fail them. The young earl of Essex, a nobleman of promising hopes, who, fired with the thirst of military honor, had secretly, unknown to the queen, stolen from England, here joined the adventurers; and it was then agreed by common consent to make sail for Portugal, the main object of their enterprise.

The English landed at Paniche, a seaport town twelve leagues from Lisbon, and Norris led the army to that capital, while Drake undertook to sail up the river, and attack the city with united forces. By this time, the court of Spain had gotten leisure to prepare against the invasion. Forces were thrown into Lisbon: the Portuguese were disarmed: all suspected persons were taken into custody: and thus, though the inhabitants bore great affection to Don Antonio, none of them durst declare in favor of the invaders. The English army, however, made themselves masters of the suburbs, which abounded with riches of all kinds; but as they desired to conciliate the affections of the Portuguese, and were more intent on honor than profit, they observed a strict discipline, and abstained from all plunder. Meanwhile they found their ammunition and provisions much exhausted; they had not a single cannon to make a breach in

the walls; the admiral had not been able to pass some fortresses which guarded the river; there was no appearance of an insurrection in their favor; sickness, from fatigue, hunger, and intemperance in wine and fruits, had seized the army; so that it was found necessary to make all possible haste to reëmbark. They were not pursued by the enemy, and finding at the mouth of the river sixty ships laden with naval stores, they seized them as lawful prize; though they belonged to the Hanse Towns, a neutral power. They sailed thence to Vigo, which they took and burned; and having ravaged the country around, they set sail and arrived in England. Above half of these gallant adventurers perished by sickness, famine, fatigue, and the sword;[*] and England reaped more honor than profit from this extraordinary enterprise. It is computed, that eleven hundred gentlemen embarked on board the fleet, and that only three hundred and fifty survived those multiplied disasters.[**]

* Birch's Memoirs, vol. i. p. 61.

** Birch's Memoirs, vol. i. p. 61.

When these ships were on their voyage homewards, they met with the earl of Cumberland, who was outward bound, with a fleet of seven sail, all equipped at his own charge, except one ship of war which the queen had lent him. That nobleman supplied Sir Francis Drake with some provisions; a generosity which saved the lives of many of Drake's men, but for which the others afterwards suffered severely. Cumberland sailed towards the Terceras, and took several prizes from the enemy; but the richest, valued at a hundred thousand pounds, perished in her return, with all her cargo, near St. Michael's Mount, in Cornwall. Many of these adventurers were killed in a rash attempt at the Terceras: a great mortality seized the rest; and it was with difficulty that the few hands which remained were able to steer the ships back into harbor.[*]

Though the signal advantages gained over the Spaniards, and the spirit thence infused into the English, gave Elizabeth great security during the rest of her reign, she could not forbear keeping an anxious eye on Scotland, whose situation rendered its revolutions always of importance to her. It might have been expected that this high-spirited princess, who knew so well to brave danger, would not have retained that malignant jealousy towards her heir, with which, during the lifetime of Mary, she had been so much agitated. James had indeed succeeded to all the claims of his mother; but he had not succeeded to the favor of the Catholics, which could alone render these claims dangerous:[**] and as the queen was now well advanced in years, and enjoyed an uncontrolled authority over her subjects, it was not likely that the king of Scots, who was of an indolent, unambitious temper, would ever give her any disturbance in her possession of the throne. Yet all these circumstances could not remove her timorous suspicions; and so far from satisfying the nation by a settlement of the succession, or a declaration of James's title, she was as anxious to prevent every incident which might anywise raise his credit, or procure him the regard of the English, as if he had been her immediate rival and competitor. Most of his ministers and favorites were her pensioners; and as she was desirous to hinder him from marrying and having children, she obliged them to throw obstacles in the way of every alliance, even the most reasonable which could be offered him; and during some years she succeeded in this malignant policy.[***]

* Monson, p. 161.

** Winwood, vol. i. p. 41.

*** Melvil, p. 166, 177.

He had fixed on the elder daughter of the king of Denmark, who, being a remote prince and not powerful, could give her no umbrage; yet did she so artfully cross this negotiation, that the Danish monarch, impatient of delay, married his daughter to the duke of Brunswick. James then renewed his suit to the younger princess, and still found obstacles from the intrigues of Elizabeth, who, merely with a view of interposing delay, proposed to him the sister of the king of Navarre, a princess much older than himself, and entirely destitute of fortune. The young king, besides the desire of securing himself, by the prospect of issue, from those traitorous attempts too frequent among his subjects had been so watched by the rigid austerity of the ecclesiastics, that he had another inducement to marry, which is not so usual with monarchs. His impatience, therefore, broke through all the politics of Elizabeth: the articles of marriage were settled; the ceremony was performed by proxy; and the princess embarked for Scotland; but was driven by a storm into a port of Norway. This tempest, and some others which happened near the same time, were universally believed in Scotland and Denmark to have proceeded from a combination of the Scottish and Danish witches; and the dying confession of the criminals was supposed to put the accusation beyond all controversy.[*] James, however, though a great believer in sorcery, was not deterred by this incident from taking a voyage in order to conduct his bride home: he arrived in Norway; carried the queen thence to Copenhagen: and having passed the winter in that city, he brought her next spring to Scotland, where they were joyfully received by the people. The clergy alone, who never neglected an opportunity of vexing their prince, made opposition to the queen's coronation, on account of the ceremony of anointing her, which, they alleged, was either a Jewish or a Popish rite, and therefore utterly antichristian and unlawful. But James was as much bent on the ceremony as they were averse to it: and after much controversy and many intrigues, his authority, which had not often happened, at last prevailed over their opposition.[**]

* Melvil, p. 180.

** Spotswood, p. 381.

CHAPTER XLIII.

ELIZABETH.

1590.

After a state of great anxiety and many difficulties, Elizabeth had at length reached a situation where, though her affairs still required attention, and found employment for her active spirit, she was removed from all danger of any immediate revolution, and might regard the efforts of her enemies with some degree of confidence and security. Her successful and prudent administration had gained her, together with the admiration of foreigners, the affections of her own subjects; and, after the death of the queen of Scots, even the Catholics, however discontented, pretended not to dispute her title, or adhere to any other person as her competitor. James, curbed by his factious nobility and ecclesiastics, possessed at home very little authority; and was solicitous to remain on good terms with Elizabeth and the English nation, in hopes that time, aided by his patient tranquillity, would secure him that rich succession to which his birth entitled him. The Hollanders, though overmatched in their contest with Spain, still made an obstinate resistance; and such was their unconquerable antipathy to their old masters, and such the prudent conduct of young Maurice, their governor, that the subduing of that small territory, if at all possible, must be the work of years, and the result of many and great successes. Philip, who, in his powerful effort against England, had been transported by resentment and ambition beyond his usual cautious maxims, was now disabled,

and still more discouraged, from adventuring again on such hazardous enterprises. The situation also of affairs in France began chiefly to employ his attention; but notwithstanding all his artifice, and force, and expense, the events in that kingdom proved every day more contrary to his expectations, and more favorable to the friends and confederates of England.

The violence of the league having constrained Henry to declare war against the Hugonots, these religionists seemed exposed to the utmost danger; and Elizabeth sensible of the intimate connection between her own interests and those of that party, had supported the king of Navarre by her negotiations in Germany, and by large sums of money, which she remitted for levying forces in that country. This great prince, not discouraged by the superiority of his enemies, took the field; and in the year 1587 gained at Coutras a complete victory over the army of the French king; but as his allies, the Germans were at the same time discomfited by the army of the league, under the duke of Guise, his situation, notwithstanding his victory, seemed still as desperate as ever. The chief advantage which he reaped by this diversity of success, arose from the dissensions which by that means took place among his enemies. The inhabitants of Paris, intoxicated with admiration of Guise, and strongly prejudiced against their king, whose intentions had become suspicious to them, took to arms and obliged Henry to fly for his safety. That prince, dissembling his resentment, entered into a negotiation with the league; and having conferred many high offices on Guise and his partisans, summoned an assembly of the states at Blois, on pretence of finding expedients to support the intended war against the Hugonots. The various scenes of perfidy and cruelty which had been exhibited in France, had justly begotten a mutual diffidence among all parties; yet Guise, trusting more to the timidity than honor of the king, rashly put himself into the hands of that monarch, and expected, by the ascendant of his own genius, to make him submit to all his exorbitant pretensions. Henry, though of an easy disposition, not steady to his resolutions, or even to his promises, wanted neither courage nor capacity; and finding all his subtleties eluded by the vigor of Guise, and even his throne exposed to the most imminent danger, he embraced more violent counsels than were natural to him, and ordered that prince and his brother, the cardinal of Guise, to be assassinated in his palace.

This cruel execution, which the necessity of it alone could excuse, had nearly proved fatal to the author, and seemed at first to plunge him into greater dangers than those which he sought to avoid by taking vengeance on his enemy. The partisans of the league were inflamed with the utmost rage against him: the populace every where, particularly at Paris, renounced allegiance to him: the ecclesiastics and the preachers filled all places with execrations against his name: and the most powerful cities and most opulent provinces appeared to combine in a resolution, either of renouncing monarchy, or of changing their monarch. Henry, finding slender resource among his Catholic subjects, was constrained to enter into a confederacy with the Hugonots and the king of Navarre: he enlisted large bodies of Swiss infantry and German cavalry: and being still supported by his chief nobility, he assembled, by all these means, an army of near forty thousand men, and advanced to the gates of Paris, ready to crush the league, and subdue all his enemies. The desperate resolution of one man diverted the course of these great events. Jaques Clement, a Dominican friar, inflamed by that bloody spirit of bigotry which distinguishes this century and a great part of the following beyond all ages of the world, embraced the resolution of sacrificing his own life, in order to save the church from the persecutions of an heretical tyrant; and being admitted, under some pretext, to the king's presence, he gave that prince a mortal wound, and was immediately put to death by the courtiers, who hastily revenged the murder of their sovereign. This memorable incident happened on the first of August, 1589.

The king of Navarre, next heir to the crown, assumed the government, by the title of Henry IV.; but succeeded to much greater difficulties than those which surrounded his predecessor. The

prejudices entertained against his religion, made a great part of the nobility immediately desert him; and it was only by his promise of hearkening to conferences and instruction, that he could engage any of the Catholics to adhere to his undoubted title. The league, governed by the duke of Mayenne, brother to Guise, gathered new force; and the king of Spain entertained views, either of dismembering the French monarchy, or of annexing the whole to his own dominions, In these distressful circumstances, Henry addressed himself to Elizabeth, and found her well disposed to contribute to his assistance, and to oppose the progress of the Catholic league, and of Philip, her inveterate and dangerous enemies. To prevent the desertion of his Swiss and German auxiliaries she made him a present of twenty-two thousand pounds: a greater sum than, as he declared, he had ever seen before: and she sent him a reënforcement of four thousand men, under Lord Willoughby, an officer of reputation, who joined the French at Dieppe. Strengthened by these supplies, Henry marched directly to Paris; and having taken the suburbs sword in hand, he abandoned them to be pillaged by his soldiers. He employed this body of English in many other enterprises; and still found reason to praise their courage and fidelity. The time of their service being elapsed, he dismissed them with many high commendations. Sir William Drury, Sir Thomas Baskerville, and Sir John Boroughs acquired reputation this campaign, and revived in France the ancient fame of English valor.

The army which Henry, next campaign, led into the field, was much inferior to that of the league; but as it was composed of the chief nobility of France, he feared not to encounter his enemies in a pitched battle at Yvrée, and he gained a complete victory over them. This success enabled him to blockade Paris, and he reduced that capital to the last extremity of famine; when the duke of Parma, in consequence of orders from Philip, marched to the relief of the league, and obliged Henry to raise the blockade. Having performed this important service, he retreated to the Low Countries; and, by his consummate skill in the art of war, performed these long marches in the face of the enemy, without affording the French monarch that opportunity which he sought, of giving him battle, or so much as once putting his army in disorder. The only loss which he sustained was in the Low Countries, where Prince Maurice took advantage of his absence, and recovered some places which the duke of Parma had formerly conquered from the states.[*] 32

* See note FF, at the end of the volume.

1591.

The situation of Henry's affairs, though promising, was not so well advanced or established as to make the queen discontinue her succors; and she was still more confirmed in the resolution of supporting him, by some advantages gained by the king of Spain. The duke of Mercoeur, governor of Brittany, a prince of the house of Lorraine, had declared for the league; and finding himself hard pressed by Henry's forces, he had been obliged, in order to secure himself, to introduce some Spanish troops into the seaport towns of that province. Elizabeth was alarmed at the danger; and foresaw that the Spaniards, besides infesting the English commerce by privateers, might employ these harbors as the seat of their naval preparations, and might more easily, from that vicinity, than from Spain or Portugal, project an invasion of England. She concluded, therefore, a new treaty with Henry, in which she engaged to send over three thousand men to be employed in the reduction of Brittany; and she stipulated that her charges should, in a twelvemonth, or as soon as the enemy was expelled, be refunded her.[*] These forces were commanded by Sir John Norris, and under him by his brother Henry, and by Anthony Shirley. Sir Roger Williams was at the head of a small body which garrisoned Dieppe: and a squadron of ships, under the command of Sir Henry Palmer, lay upon the coast of France, and intercepted all the vessels belonging to the Spaniards or the leaguers.

The operations of war can very little be regulated beforehand by any treaty or agreement; and Henry, who found it necessary to lay aside the projected enterprise against Brittany, persuaded the English commanders to join his army, and to take a share in the hostilities which he carried into Picardy.[**] Notwithstanding the disgust which Elizabeth received from this disappointment, he laid before her a plan for expelling the leaguers from Normandy, and persuaded her to send over a new body of four thousand men, to assist him in that enterprise. The earl of Essex was appointed general of these forces; a young nobleman, who, by many exterior accomplishments, and still more real merit, was daily advancing in favor with Elizabeth, and seemed to occupy that place in her affections, which Leicester, now deceased, had so long enjoyed. Essex, impatient for military fame, was extremely uneasy to lie some time at Dieppe unemployed; and had not the orders which he received from his mistress been so positive, he would gladly have accepted of Henry's invitation, and have marched to join the French army now in Champagne. This plan of operations was also proposed to Elizabeth by the French ambassador, but she rejected it with great displeasure; and she threatened immediately to recall her troops, if Henry should persevere any longer in his present practice of breaking all concert with her, and attending to nothing but his own interests.[***]

* Camden, p. 561.

** Rymer, vol. xiv. p. 116.

*** Birch's Negotiations, p. 5. Rymer, tom. xiv. p. 123, 140.

Urged by these motives, the French king at last led his army into Normandy, and laid siege to Rouen, which he reduced to great difficulties. But the league, unable of themselves to take the field against him, had again recourse to the duke of Parma, who received orders to march to their relief. He executed this enterprise with his usual abilities and success; and for the present frustrated all the projects of Henry and Elizabeth. This princess, who kept still in view the interests of her own kingdom in all her foreign transactions, was impatient under these disappointments, blamed Henry for his negligence in the execution of treaties, and complained that the English forces were thrust foremost in every hazardous enterprise.[*] It is probable, however, that their own ardent courage, and their desire of distinguishing themselves in so celebrated a theatre of war, were the causes why they so often enjoyed this perilous honor.

Notwithstanding the indifferent success of former enterprises, the queen was sensible how necessary it was to support Henry against the league and the Spaniards; and she formed a new treaty with him, in which they agreed never to make peace with Philip but by common consent; she promised to send him a new supply of four thousand men; and he stipulated to repay her charges in a twelvemonth, to employ these forces, joined to a body of French troops, in an expedition against Brittany, and to consign into her hands a seaport town of that province, for a retreat to the English.[**] Henry knew the impossibility of executing some of these articles, and the imprudence of fulfilling others; but finding them rigidly insisted on by Elizabeth, he accepted of her succors, and trusted that he might easily, on some pretence, be able to excuse his failure in executing his part of the treaty. This campaign was the least successful of all those which he had yet carried on against the league.

During these military operations in France, Elizabeth employed her naval power against Philip, and endeavored to intercept his West Indian treasures, the source of that greatness which rendered him so formidable to all his neighbors. She sent a squadron of seven ships, under the command of Lord Thomas Howard, for this service; but the king of Spain, informed of her purpose, fitted out a great force of fifty-five sail, and despatched them to escort the Indian

fleet. They fell in with the English squadron; and, by the courageous obstinacy of Sir Richard Greenville, the vice-admiral, who refused to make his escape by flight, they took one vessel, the first English ship of war that had yet fallen into the hands of the Spaniards.[***] 33The rest of the squadron returned safely into England frustrated of their expectations, but pleasing themselves with the idea that their attempt had not been altogether fruitless in hurting the enemy.

* Camden, p. 562.

** Rymer, vol. xvi. p. 151, 168, 171, 173

*** See note GG, at the end of the volume.

The Indian fleet had been so long detained in the Havana from the fear of the English, that they were obliged at last to set sail in an improper season, and most of them perished by shipwreck ere they reached the Spanish harbors.[*] The earl of Cumberland made a like unsuccessful enterprise against the Spanish trade. He carried out one ship of the queen's, and seven others equipped at his own expense; but the prizes which he made did not compensate the charges.[**]

ENLARGE

1-527-raleigh.jpg Sir Walter Raleigh

The spirit of these expensive and hazardous adventures was very prevalent in England. Sir Walter Raleigh, who had enjoyed great favor with the queen, finding his interest to decline, determined to recover her good graces by some important undertaking; and as his reputation was high among his countrymen, he persuaded great numbers to engage with him as volunteers in an attempt on the West Indies.

1592.

The fleet was detained so long in the Channel by contrary winds, that the season was lost: Raleigh was recalled by the queen: Sir Martin Frobisher succeeded to the command, and made a privateering voyage against the Spaniards. He took one rich carrack near the Island of Flores, and destroyed another.[***] About the same time, Thomas White, a Londoner, took two Spanish ships, which, besides fourteen hundred chests of quicksilver, contained above two millions of bulls for indulgences; a commodity useless to the English, but which had cost the king of Spain three hundred thousand florins, and would have been sold by him in the Indies for five millions.

1593.

This war did great damage to Spain; but it was attended with considerable expense to England; and Elizabeth's ministers computed, that since the commencement of it, she had spent in Flanders and France, and on her naval expeditions, above one million two hundred thousand pounds;[****] a charge which, notwithstanding her extreme frugality, was too burthensome for her narrow revenues to support.

* Monson, p. 163.

** Monson, p. 169.

*** Monson, p. 165. Camden, p 569.

**** Strype, vol. iii.

She summoned, therefore, a parliament, in order to obtain supply: but she either thought her authority so established that she needed to make them no concessions in return, or she rated her power and prerogative above money: for there never was any parliament whom she treated in a more haughty manner, whom she made more sensible of their own weakness, or whose privileges she more openly violated. When the speaker, Sir Edward Coke, made the three usual requests, of freedom from arrests, of access to her person, and of liberty of speech, she replied to him by the mouth of Puckering, lord keeper, that liberty of speech was granted to the commons, but they must know what liberty they were entitled to; not a liberty for every one to speak what he listeth, or what cometh in his brain to utter; their privilege extended no further than a liberty of "aye" or "no:" that she enjoined the speaker, if he perceived any idle heads so negligent of their own safety as to attempt reforming the church, or innovating in the commonwealth, that he should refuse the bills exhibited for that purpose, till they were examined by such as were fitter to consider of these things, and could better judge of them: that she would not impeach the freedom of their persons; but they must beware lest, under color of this privilege, they imagined that any neglect of their duty could be covered or protected: and that she would not refuse them access to her person, provided it were upon urgent and weighty causes, and at times convenient, and when she might have leisure from other important affairs of the realm.[*]

Notwithstanding the menacing and contemptuous air of this speech, the intrepid and indefatigable Peter Wentworth, not discouraged by his former ill success, ventured to transgress the imperial orders of Elizabeth. He presented to the lord keeper a petition, in which he desired the upper house to join with the lower in a supplication to her majesty for entailing the succession of the crown; and he declared that he had a bill ready prepared for that purpose. This method of proceeding was sufficiently respectful and cautious; but the subject was always extremely disagreeable to the queen, and what she had expressly prohibited any one from meddling with: she sent Wentworth immediately to the Tower; committed Sir Thomas Bromley, who had seconded him, to the Fleet prison, together with Stevens and Welsh, two members, to whom Sir Thomas had communicated his intention.[**]

* D'Ewes, p. 460, 469. Townsend, p.37.

** D'Ewes, p. 470. Townsend, p. 54.

About a fortnight after, a motion was made in the house to petition the queen for the release of these members; but it was answered by all the privy counsellors there present, that her majesty had committed them for causes best known to herself, and that to press her on that head would only tend to the prejudice of the gentlemen whom they meant to serve: she would release them whenever she thought proper, and would be better pleased to do it of her own proper motion, than from their suggestion.[*] The house willingly acquiesced in this reasoning.

So arbitrary an act, at the commencement of the session, might well repress all further attempts for freedom: but the religious zeal of the puritans was not so easily restrained; and it inspired a courage which no human motive was able to surmount. Morrice, chancellor of the duchy, and attorney, of the court of wards, made a motion for redressing the abuses in the bishops' courts, but above all, in the high commission; where subscriptions, he said, were exacted to articles at the pleasure of the prelates; where oaths were imposed, obliging persons to answer to all questions without distinction, even though they should tend to their own condemnation; and where every one who refused entire satisfaction to the commissioners was imprisoned, without relief or remedy.[**]

* D'Ewes, p. 497.

** D'Ewes, p. 474. Townsend, p. 60.

This motion was seconded by some members; but the ministers and privy counsellors opposed it, and foretold the consequences which ensued. The queen sent for the speaker, and after requiring him to deliver to her Morrice's bill, she told him, that it was in her power to call parliaments, in her power to dissolve them, in her power to give assent or dissent to any determination which they should form: that her purpose in summoning this parliament was twofold, to have laws enacted for the further enforcement of uniformity in religion, and to provide for the defence of the nation against the exorbitant power of Spain: that these two points ought, therefore, to be the object of their deliberations: she had enjoined them already, by the mouth of the lord keeper, to meddle neither with matters of state nor of religion; and she wondered how any one could be so assuming, as to attempt a subject so expressly contrary to her prohibition: that she was highly offended with this presumption; and took the present opportunity to reiterate the commands given by the keeper, and to require that no bill, regarding either state affairs or reformation in causes ecclesiastical, be exhibited in the house: and that in particular she charged the speaker upon his allegiance, if any such bills were offered, absolutely to refuse them a reading, and not so much as permit them to be debated by the members.[*] This command from the queen was submitted to without further question. Morrice was seized in the house itself by a serjeant-at-arms, discharged from his office of chancellor of the duchy, incapacitated from any practice in his profession as a common lawyer, and kept some years prisoner in Tilbury Castle.[**]

The queen having thus expressly pointed out both what the house should and should not do, the commons were as obsequious to the one as to the other of her injunctions. They passed a law against recusants; such a law as was suited to the severe character of Elizabeth, and to the persecuting spirit of the age. It was entitled, "An act to retain her majesty's subjects in their due obedience;" and was meant, as the preamble declares, to obviate such inconveniencies and perils as might grow from the wicked practices of seditious sectaries and disloyal persons: for these two species of criminals were always, at that time, confounded together, as equally dangerous to the peace of society. It was enacted, that any person, above sixteen years of age, who obstinately refused during the space of a month to attend public worship, should be committed to prison; that if, after being condemned for this offence, he persist three months in his refusal, he must abjure the realm; and that, if he either refuse this condition, or return after banishment, he should suffer capitally as a felon, without benefit of clergy.[***] This law bore equally hard upon the Puritans and upon the Catholics; and had it not been imposed by the queen's authority, was certainly, in that respect, much contrary to the private sentiments and inclinations of the majority in the house of commons. Very little opposition, however, appears there to have been openly made to it.[****]

* D'Ewes, p. 474, 478. Townsend, p. 68.

** Heylin's History of the Presbyterians, p. 320.

*** 35 Eliz. c. 1.

**** After enacting this statute, the clergy, in order to remove the odium from themselves, often took care that recusants should be tried by the civil judges at the assizes, rather than by the ecclesiastical commissioners. Strype's Ann. vol. iv p. 264.

The expenses of the war with Spain having reduced the queen to great difficulties, the grant of subsidies seems to have been the most important business of this parliament; and it was a signal proof of the high spirit of Elizabeth, that, while conscious of a present dependence on the commons, she opened the session with the most haughty treatment of them and covered her weakness under such a lofty appearance of superiority. The commons readily voted two subsidies and four fifteenths; but this sum not appearing sufficient to the court, an unusual expedient was fallen upon to induce them to make an enlargement in their concessions. The peers informed the commons in a conference, that they could not give their assent to the supply voted, thinking it too small for the queen's occasions: they therefore proposed a grant of three subsidies and six fifteenths; and desired a further conference, in order to persuade the commons to agree to this measure. The commons, who had acquired the privilege of beginning bills of subsidy, took offence at this procedure of the lords, and at first absolutely rejected the proposal: but being afraid, on reflection, that they had by this refusal given offence to their superiors, they both agreed to the conference, and afterwards voted the additional subsidy.[*]
The queen, notwithstanding this unusual concession of the commons, ended the session with a speech, containing some reprimands to them, and full of the same high pretensions which she had assumed at the opening of the parliament. She took notice, by the mouth of the keeper, that certain members spent more time than was necessary by indulging themselves in harangues and reasonings: and she expressed her displeasure on account of their not paying due reverence to privy counsellors, "who," she told them, "were not to be accounted as common knights and burgesses of the house, who are counsellors but during the parliament; whereas the others are standing counsellors, and for their wisdom and great service are called to the council of the state."[**]

* D'Ewes, p. 483, 487, 488. Townsend, p. 66.

** D'Ewes, p. 466. Townsend, p. 17

The queen also, in her own person, made the parliament a spirited harangue; in which she spoke of the justice and moderation of her government, expressed the small ambition she had ever entertained of making conquests, displayed the just grounds of her quarrel with the king of Spain, and discovered how little she apprehended the power of that monarch, even though he should make a greater effort against her than that of his Invincible Armada. "But I am informed," added she, "that when he attempted this last invasion, some upon the sea-coast forsook their towns, fled up higher into the country, and left all naked and exposed to his entrance: but I swear unto you by God, if I knew those persons, or may know of any that shall do so hereafter, I will make them feel what it is to be so fearful in so urgent a cause."[*] By this menace, she probably gave the people to understand, that she would execute martial law upon such cowards; for there was no statute by which a man could be punished for changing his place of abode.

* D'Ewes, p. 466. Townsend, p. 48.

The king of France, though he had hitherto made war on the league with great bravery and reputation, though he had this campaign gained considerable advantages over them, and though he was assisted by a considerable body of English under Norris, who carried hostilities into the heart of Brittany, was become sensible that he never could, by force of arms alone, render himself master of his kingdom. The nearer he seemed by his military successes to approach to a full possession of the throne, the more discontent and jealousy arose among those Romanists who adhered to him; and a party was formed in his own court to elect some

Catholic monarch of the royal blood, if Henry should any longer refuse to satisfy them by declaring his conversion. This excellent prince was far from being a bigot to his sect; and as he deemed these theological disputes entirely subordinate to the public good, he had secretly determined, from the beginning, to come some time or other to the resolution required of him. He had found, on the death of his predecessor, that the Hugonots, who formed the bravest and most faithful part of his army, were such determined zealots, that if he had at that time abjured their faith, they would instantly have abandoned him to the pretensions and usurpations of the Catholics. The more bigoted Catholics, he knew, particularly those of the league, had entertained such an unsurmountable prejudice against his person, and diffidence of his sincerity, that even his abjuration would not reconcile them to his title; and he must either expect to be entirely excluded from the throne, or be admitted to it on such terms as would leave him little more than the mere shadow of royalty. In this delicate situation, he had resolved to temporize; to retain the Hugonots by continuing in the profession of their religion; to gain the moderate Catholics by giving them hopes of his conversion; to attach both to his person by conduct and success; and he hoped, either that the animosity arising from war against the league would make them drop gradually the question of religion, or that he might in time, after some victories over his enemies, and some conferences with divines, make finally, with more decency and dignity, that abjuration which must have appeared at first mean, as well as suspicious, to both parties.

When the people are attached to any theological tenets merely from a general persuasion or prepossession, they are easily induced, by any motive or authority, to change their faith in these mysterious subjects; as appears from the example of the English, who, during some reigns, usually embraced, without scruple, the still varying religion of their sovereigns. But the French nation, where principles had so long been displayed as the badges of faction, and where each party had fortified its belief by an animosity against the other, were not found so pliable or inconstant; and Henry was at last convinced that the Catholics of his party would entirely abandon him, if he gave them not immediate satisfaction in this particular. The Hugonots also, taught by experience, clearly saw that his desertion of them was become absolutely necessary for the public settlement; and so general was this persuasion among them, that, as the duke of Sully pretends, even the divines of that party purposely allowed themselves to be worsted in the disputes and conferences, that the king might more readily be convinced of the weakness of their cause, and might more cordially and sincerely, at least more decently, embrace the religion which it was so much his interest to believe. If this self-denial, in so tender a point, should appear incredible and supernatural in theologians, it will, at least, be thought very natural, that a prince so little instructed in these matters as Henry, and desirous to preserve his sincerity, should insensibly bend his opinion to the necessity of his affairs, and should believe that party to have the best arguments, who could alone put him in possession of a kingdom. All circumstances, therefore, being prepared for this great event, that monarch renounced the Protestant religion, and was solemnly received by the French prelates of his party into the bosom of the church.

Elizabeth, who was herself attached to the Protestants chiefly by her interests and the circumstances of her birth, and who seems to have entertained some propensity during her whole life to the Catholic superstition, at least to the ancient ceremonies, yet pretended to be extremely displeased with this abjuration of Henry; and she wrote him an angry letter, reproaching him with this interested change of his religion. Sensible however, that the league and the king of Spain were still their common enemies, she hearkened to his apologies; continued her succors both of men and money; and formed a new treaty, in which they mutually stipulated never to make peace but by common agreement.

The intrigues of Spain were not limited to France and England: by means of the never-failing pretence of religion, joined to the influence of money, Philip excited new disorders in Scotland, and gave fresh alarms to Elizabeth. George Ker, brother to Lord Newbottle, had been taken while he was passing secretly into Spain; and papers were found about him, by which a dangerous conspiracy of some Catholic noblemen with Philip was discovered. The earls of Angus, Errol, and Huntley, the heads of three potent families, had entered into a confederacy with the Spanish monarch; and had stipulated to raise all their forces; to join them to a body of Spanish troops which Philip promised to send into Scotland; and after reëstablishing the Catholic religion in that kingdom, to march with their united power in order to effect the same purpose in England.[*] Graham of Fintry, who had also entered into this conspiracy, was taken, and arraigned, and executed. Elizabeth sent Lord Borough ambassador into Scotland, and exhorted the king to exercise the same severity on the three earls, to confiscate their estates, and by annexing them to the crown, both increase his own demesnes, and set an example to all his subjects of the dangers attending treason and rebellion. The advice was certainly rational, but not easy to be executed by the small revenue and limited authority of James. He desired, therefore, some supply from her of men and money; but though she had reason to deem the prosecution of the three Popish earls a common cause, she never could be prevailed on to grant him the least assistance. The tenth part of the expense which she bestowed in supporting the French king and the states, would have sufficed to execute this purpose, more immediately essential to her security;[**] but she seems ever to have borne some degree of malignity to James, whom she hated, both as her heir, and as the son of Mary, her hated rival and competitor.

* Spotswood, p. 391. Rymer, tom. xvi. p. 190.

** Spotswood, p. 393. Rymer, tom. xvi. p. 235

So far from giving James assistance to prosecute the Catholic conspirators, the queen rather contributed to increase his inquietude, by countenancing the turbulent disposition of the earl of Bothwell,[*] a nobleman descended from a natural son of James V. Both well more than once attempted to render himself master of the king's person; and being expelled the kingdom for these traitorous enterprises, he took shelter in England, was secretly protected, by the queen, and lurked near the borders, where his power lay, with a view of still committing some new violence. He succeeded at last in an attempt on the king; and by the mediation of the English ambassador, imposed dishonorable terms upon that prince: but James, by the authority of the convention of states, annulled this agreement as extorted by violence, again expelled Bothwell, and obliged him to take shelter in England. Elizabeth, pretending ignorance of the place of his retreat, never executed the treaties, by which she was bound to deliver up all rebels and fugitives to the king of Scotland.

* Spotswood, p. 257, 258.

1594.

During these disorders, increased by the refractory disposition of the ecclesiastics, the prosecution of the Catholic earls remained in suspense; but at last the parliament passed an act of attainder against them, and the king prepared himself to execute it by force of arms. The noblemen, though they obtained a victory over the earl of Argyle, who acted by the king's commission found themselves hard pressed by James himself, and agreed on certain terms to leave the kingdom. Bothwell, being defected in a confederacy with them, forfeited the favor of

Elizabeth, and was obliged to take shelter, first in France, then in Italy, where he died some years after in great poverty.

The established authority of the queen secured her from all such attempts as James was exposed to from the mutinous disposition of his subjects; and her enemies found no other means of giving her domestic disturbance, than by such traitorous and perfidious machinations as ended in their own disgrace, and in the ruin of their criminal instruments. Roderigo Lopez, a Jew, domestic physician to the queen, being imprisoned on suspicion, confessed that he had received a bribe to poison her from Fuentes and Ibarra, who had succeeded Parma, lately deceased, in the government of the Netherlands; but he maintained, that he had no other intention than to cheat Philip of his money, and never meant to fulfil his engagement. He was, however, executed for the conspiracy; and the queen complained to Philip of these dishonorable attempts of his ministers, but could obtain no satisfaction.[*] York and Williams, two English traitors, were afterwards executed for a conspiracy with Ibarra, equally atrocious.[**]

Instead of avenging herself by retaliating in a like manner, Elizabeth sought a more honorable vengeance, by supporting the king of France, and assisting him in finally breaking the force of the league, which, after the conversion of that monarch, went daily to decay, and was threatened with speedy ruin and dissolution. Norris commanded the English forces in Brittany, and assisted at the taking of Morlaix, Quimpercorentin, and Brest, towns garrisoned by Spanish forces. In every action, the English, though they had so long enjoyed domestic peace, discovered a strong military disposition; and the queen, though herself a heroine, found more frequent occasion to reprove her generals for encouraging their temerity, than for countenancing their fear or caution:[***] Sir Martin Frobisher, her brave admiral, perished, with many others, before Brest. Morlaix had been promised to the English for a place of retreat; but the duke d'Aumont, the French general, eluded this promise, by making it be inserted in the capitulation that none but Catholics should be admitted into that city.

* Camden, p. 577. Birch's Negot. p. 15. Bacon, vol. iv. p. 381.

** Camden, p. 582.

*** Camden, p. 578.

Next campaign, the French king, who had long carried on hostilities with Philip, was at last provoked, by the taking of Chatelet and Dourlens, and the attack of Cambray, to declare war against that monarch. Elizabeth, being threatened with a new invasion in England, and with an insurrection in Ireland, recalled most of her forces, and sent Norris to command in this latter kingdom. Finding also that the French league was almost entirely dissolved, and that the most considerable leaders had made an accommodation with their prince, she thought that he could well support himself by his own force and valor; and she began to be more sparing in his cause of the blood and treasure of her subjects.

Some disgusts which she had received from the states, joined to the remonstrances of her frugal minister, Burleigh, made her also inclined to diminish her charges on that side, and she even demanded by her ambassador, Sir Thomas Bodley, to be reimbursed all the money which she had expended in supporting them. The states, besides alleging the conditions of the treaty, by which they were not bound to repay her till the conclusion of a peace, pleaded their present poverty and distress, the great superiority of the Spaniards, and the difficulty in supporting the war; much more in saving money to discharge their encumbrances. {1595.

After much negotiation, a new treaty was formed, by which the states engaged to free the queen immediately from the charge of the English auxiliaries, computed at forty thousand pounds a year; to pay her annually twenty thousand pounds for some years; to assist her with a certain number of ships; and to conclude no peace or treaty without her consent. They also bound themselves, on finishing a peace with Spain, to pay her annually the sum of a hundred thousand pounds for four years; but on this condition, that the payment should be in lieu of all demands, and that they should be supplied, though at their own charge, with a body of four thousand auxiliaries from England.[*]

Camden, p. 586.

1596.

The queen still retained in her hands the cautionary towns, which were a great check on the rising power of the states; and she committed the important trust of Flushing to Sir Francis Vere, a brave officer, who had distinguished himself by his valor in the Low Countries. She gave him the preference to Essex, who expected so honorable a command; and though this nobleman was daily rising, both in reputation with the people, and favor with herself, the queen, who was commonly reserved in the advancement of her courtiers, thought proper on this occasion to give him a refusal. Sir Thomas Baskerville was sent over to France at the head of two thousand English, with which Elizabeth, by a new treaty concluded with Henry, engaged to supply that prince. Some stipulations for mutual assistance were formed by the treaty; and all former engagements were renewed.

1597.

This body of English were maintained at the expense of the French king; yet did Henry esteem the supply of considerable advantage, on account of the great reputation acquired by the English, in so many fortunate enterprises undertaken against the common enemy. In the great battle of Tournholt, gained this campaign by Prince Maurice, the English auxiliaries under Sir Francis Vere and Sir Robert Sidney had acquired honor; and the success of that day was universally ascribed to their discipline and valor.

Though Elizabeth, at a considerable expense of blood and treasure, made war against Philip in France and the Low Countries, the most severe blows which she gave him, were by those naval enterprises which either she or her subjects scarcely ever intermitted during one season. In 1594, Richard Hawkins, son of Sir John, the famous navigator, procured the queen's commission, and sailed with three ships to the South Sea by the Straits of Magellan; but his voyage proved unfortunate, and he himself was taken prisoner on the coast of Chili. James Lancaster was supplied the same year with three ships and a pinnace by the merchants of London, and was more fortunate in his adventure. He took thirty-nine ships of the enemy; and not content with this success, he made an attack on Fernambouc, in Brazil, where he knew great treasures were at that time lodged. As he approached the shore, he saw it lined with great numbers of the enemy; but nowise daunted at this appearance, he placed the stoutest of his men in boats, and ordered them to row with such violence on the landing-place as to split them in pieces. By this bold action he both deprived his men of all resource but in victory, and terrified the enemy, who fled after a short resistance. He returned home with the treasure which he had so bravely acquired. In 1595, Sir Walter Raleigh, who had anew forfeited the queen's friendship by an intrigue with a maid of honor, and who had been thrown into prison for this misdemeanor, no sooner recovered his liberty, than he was pushed by his active and enterprising genius to attempt some great action. The success of the first Spanish adventurers against Mexico and Peru had begotten an extreme avidity in Europe; and a prepossession universally took place, that in the inland parts of South America, called Guiana, a country as yet undiscovered, there were mines and treasures far exceeding any which Cortes or Pizarro had

met with. Raleigh, whose turn of mind was somewhat romantic and extravagant, undertook at his own charge the discovery of this wonderful country. Having taken the small town of St. Joseph, in the Isle of Trinidado, where he found no riches, he left his ship, and sailed up the River Oroonoko in pinnaces, but without meeting any thing to answer his expectations. On his return, he published an account of the country, full of the grossest and most palpable lies that were ever attempted to be imposed on the credulity of mankind.[*]

The same year, Sir Francis Drake and Sir John Hawkins undertook a more important expedition against the Spanish settlements in America; and they carried with them six ships of the queen's and twenty more, which either were fitted out at their own charge, or were furnished them by private adventurers. Sir Thomas Baskerville was appointed commander of the land forces which they carried on board. Their first design was to attempt Porto Rico, where, they knew, a rich carrack was at that time stationed; but as they had not preserved the requisite secrecy, a pinnace, having strayed from the fleet, was taken by the Spaniards, and betrayed the intentions of the English. Preparations were made in that island for their reception; and the English fleet, notwithstanding the brave assault which they made on the enemy, was repulsed with loss. Hawkins soon after died, and Drake pursued his voyage to Nombre di Dios, on the Isthmus of Darien; where, having landed his men, he attempted to pass forward to Panama, with a view of plundering that place, or, if he found such a scheme practicable, of keeping and fortifying it. But he met not with the same facility which had attended his first enterprises in those parts. The Spaniards, taught by experience, had every where fortified the passes, and had stationed troops in the woods, who so infested the English by continual alarms and skirmishes, that they were obliged to return, without being able to effect any thing. Drake himself, from the intemperance of the climate, the fatigues of his journey, and the vexation of his disappointment, was seized with a distemper of which he soon after died. Sir Thomas Baskerville took the command of the fleet, which was in a weak condition; and after having fought a battle near Cuba with a Spanish fleet, of which the event was not decisive, he returned to England. The Spaniards suffered some loss from this enterprise but the English reaped no profit.[**]

*	Camden,	p.	584
**	Monson,	p,	167.

The bad success of this enterprise in the Indies made the English rather attempt the Spanish dominions in Europe, where they heard Philip was making great preparations for a new invasion of England. A powerful fleet was equipped at Plymouth, consisting of a hundred and seventy vessels, seventeen of which were capital ships of war, the rest tenders and small vessels: twenty ships were added by the Hollanders. In this fleet there were computed to be embarked six thousand three hundred and sixty soldiers, a thousand volunteers, and six thousand seven hundred and seventy-two seamen besides the Dutch. The land forces were commanded by the earl of Essex; the navy by Lord Effingham, high admiral. Both these commanders had expended great sums of their own in the armament; for such was the spirit of Elizabeth's reign. Lord Thomas Howard, Sir Walter Raleigh, Sir Francis Vere, Sir George Carew, and Sir Coniers Clifford had commands in this expedition, and were appointed council to the general and admiral.[*]

The fleet set sail on the first of June, 1596; and meeting with a fair wind, bent its course to Cadiz, at which place, by sealed orders delivered to all the captains, the general rendezvous was appointed. They sent before them some armed tenders, which intercepted every ship that could carry intelligence to the enemy; and they themselves were so fortunate, when they came near Cadiz, as to take an Irish vessel, by which they learned that that port was full of merchant

ships of great value, and that the Spaniards lived in perfect security without any apprehensions of an enemy. This intelligence much encouraged the English fleet, and gave them the prospect of a fortunate issue to the enterprise.

After a fruitless attempt to land at St. Sebastian's, on the western side of the Island of Cadiz, it was, upon deliberation, resolved by the council of war to attack the ships and galleys in the bay. This attempt was deemed rash; and the admiral himself, who was cautious in his temper, had entertained great scruples with regard to it: but Essex strenuously recommended the enterprise; and when he found the resolution at last taken, he threw his hat into the sea, and gave symptoms of the most extravagant joy. He felt, however, a great mortification, when Effingham informed him, that the queen, anxious for his safety, and dreading the effects of his youthful ardor, had secretly given orders that he should not be permitted to command the van in the attack.[**]

* Camden, p. 591.

** Monson, p. 196

That duty was performed by Sir Walter Raleigh and Lord Thomas Howard; but Essex no sooner came within reach of the enemy, than he forgot the promise which the admiral had exacted from him, to keep in the midst of the fleet; he broke through and pressed forward into the thickest of the fire. Emulation for glory, avidity of plunder, animosity against the Spaniards, proved incentives to every one; and the enemy was soon obliged to slip anchor, and retreat farther into the bay, where they ran many of their ships aground. Essex then landed his men at the fort of Puntal, and immediately marched to the attack of Cadiz, which the impetuous valor of the English soon carried sword in hand. The generosity of Essex, not inferior to his valor, made him stop the slaughter, and treat his prisoners with the greatest humanity, and even affability and kindness. The English made rich plunder in the city; but missed of a much richer by the resolution which the duke of Medina, the Spanish admiral, took of setting fire to the ships, in order to prevent their falling into the hands of the enemy. It was computed, that the loss which the Spaniards sustained in this enterprise amounted to twenty millions of ducats;[*] besides the indignity which that proud and ambitious people suffered from the sacking of one of their chief cities, and destroying in their harbor a fleet of such force and value.

Essex, all on fire for glory, regarded this great success only as a step to future achievements: he insisted on keeping possession of Cadiz; and he undertook, with four hundred men and three months' provisions, to defend the place, till succors should arrive from England; but all the other seamen and soldiers were satisfied with the honor which they had acquired; and were impatient to return home, in order to secure their plunder. Every other proposal of Essex to annoy the enemy met with a like reception; his scheme for intercepting the carracks at the Azores, for assaulting the Groine, for taking St. Andero and St. Sebastian; and the English, finding it so difficult to drag this impatient warrior from the enemy, at last left him on the Spanish coast, attended by very few ships[**] He complained much to the queen of their want of spirit in this enterprise; nor was she pleased, that they had returned without attempting to intercept the Indian fleet;[**] but the great success, in the enterprise on Cadiz, had covered all their miscarriages: and that princess, though she admired the lofty genius of Essex, could not forbear expressing an esteem for the other officers.[***] The admiral was created earl of Nottingham; and his promotion gave great disgust to Essex.[****]

* Birch's Memoirs, vol. ii. p. 97.

** Birch's Memoirs, vol. ii. p. 121.

*** Camden, p. 593.

**** Sidney Papers, vol. ii. p. 77.

In the preamble of the patent it was said, that the new dignity was conferred on him on account of his good services in taking Cadiz, and destroying the Spanish ships; a merit which Essex pretended to belong solely to himself: and he offered to maintain this plea by single combat against the earl of Nottingham, or his sons, or any of his kindred.

The achievements in the subsequent year proved not so fortunate; but as the Indian fleet very narrowly escaped the English, Philip had still reason to see the great hazard and disadvantage of that war in which he was engaged, and the superiority which the English, by their naval power and their situation, had acquired over him. The queen, having received intelligence that the Spaniards, though their fleets were so much shattered and destroyed by the expedition to Cadiz, were preparing a squadron at Ferrol and the Groine, and were marching troops thither, with a view of making a descent in Ireland, was resolved to prevent their enterprise, and to destroy the shipping in these harbors. She prepared a large fleet of a hundred and twenty sail, of which seventeen were her own ships, forty-three were smaller vessels, and the rest tenders and victuallers: she embarked on board this fleet five thousand new-levied soldiers, and added a thousand veteran troops, whom Sir Francis Vere brought from the Netherlands. The earl of Essex, commander-in-chief both of the land and sea forces, was at the head of one squadron; Lord Thomas Howard was appointed vice-admiral of another; Sir Walter Raleigh of the third: Lord Mouatjoy commanded the land forces under Essex: Vere was appointed marshal: Sir George Carew lieutenant of the ordnance, and Sir Christopher Blount first colonel. The earls of Rutland and Southampton, the Lords Grey, Cromwell, and Rich, with several other persona of distinction, embarked as volunteers. Essex declared his resolution either to destroy the new armada which threatened England, or to perish in the attempt.

This powerful fleet set sail from Plymouth; but were no sooner out of harbor than they met with a furious storm, which shattered and dispersed them; and before they could be refitted, Essex found that their provisions were so far spent, that it would not be safe to carry so numerous an army along with him. He dismissed, therefore, all the soldiers, except the thousand veterans under Vere; and laying aside all thoughts of attacking Ferrol or the Groine, he confined the object of his expedition to the intercepting of the Indian fleet which had at first been considered only as the second enterprise which he was to attempt.

The Indian fleet in that age, by reason of the imperfection of navigation, had a stated course, as well as season, both in their going out and in their return; and there were certain islands at which, as at fixed stages, they always touched, and where they took in water and provisions. The Azores being one of these places where about this time the fleet was expected, Essex bent his course thither; and he informed Raleigh, that he, on his arrival, intended to attack Fayal, one of these islands. By some accident, the squadrons were separated; and Raleigh, arriving first before Fayal, thought it more prudent, after waiting some time for the general, to begin the attack alone, lest the inhabitants should, by further delay, have leisure to make preparations for their defence. He succeeded in the enterprise; but Essex, jealous of Raleigh, expressed great displeasure at his conduct, and construed it as an intention of robbing the general of the glory which attended that action: he cashiered, therefore, Sidney, Bret, Berry, and others, who had concurred in the attempt: and would have proceeded to inflict the same punishment on Raleigh himself, had not Lord Thomas Howard interposed with his good offices, and persuaded Raleigh, though high-spirited, to make submissions to the general. Essex, who was placable, as well as hasty and passionate, was soon appeased, and both received Raleigh into favor, and restored the other officers to then commands.[*] This incident, however, though the quarrel was

seemingly accommodated, laid the first foundation of that violent animosity which afterwards took place between these two gallant commanders.

Essex made next a disposition proper for intercepting the Indian galleons; and Sir William Monson, whose station was the most remote of the fleet, having fallen in with them, made the signals which had been agreed on. That able officer, in his Memoirs, ascribes Essex's failure, when he was so near attaining so mighty an advantage, to his want of experience in seamanship; and the account which he gives of the errors committed by that nobleman, appears very reasonable as well as candid.[**]

* Monson, p. 173.

** Monson, p. 174.

The Spanish fleet, finding that the enemy was upon them, made all the sail possible to the Terceras, and got into the safe and well-fortified harbor of Angra, before the English fleet could overtake them. Essex intercepted only three ships; which, however, were so rich, as to repay all the charges of the expedition.

The causes of the miscarriage in this enterprise were much canvassed in England, upon the return of the fleet; and though the courtiers took part differently, as they affected either Essex or Raleigh, the people in general, who bore an extreme regard to the gallantry, spirit, and generosity of ihe former, were inclined to justify every circumstance of his conduct. The queen, who loved the one as much as she esteemed the other, maintained a kind of neutrality, and endeavored to share her favors with an impartial hand between the parties. Sir Robert Cecil, second son of Lord Burleigh, was a courtier of promising hopes, much connected with Raleigh; and she made him secretary of state, preferably to Sir Thomas Bodley, whom Essex recommended for that office. But not to disgust Essex, she promoted him to the dignity of earl marshal of England; an office which had been vacant since the death of the earl of Shrewsbury. Essex might perceive from this conduct, that she never intended to give him the entire ascendant over his rivals, and might thence learn the necessity of moderation and caution. But his temper was too high for submission; his behavior too open and candid to practise the arts of a court; and his free sallies, while they rendered him but more amiable in the eyes of good judges, gave his enemies many advantages against him.

The war with Spain, though successful, having exhausted the queen's exchequer, she was obliged to assemble a parliament; where Yelverton, a lawyer, was chosen speaker of the house of commons.[*] 34

* See note HH, at the end of the volume.

Elizabeth took care, by the mouth of Sir Thomas Egerton, lord keeper, to inform this assembly of the necessity of a supply. She said, that the wars formerly waged in Europe had commonly been conducted by the parties without further view than to gain a few towns, or at most a province, from each other; but the object of the present hostilities, on the part of Spain, was no other than utterly to bereave England of her religion, her liberty, and her independence: that these blessings, however, she herself had hitherto been able to preserve, in spite of the devil, the pope, and the Spanish tyrant, and all the mischievous designs of all her enemies; that in this contest she had disbursed a sum triple to all the parliamentary supplies granted her; and, besides expending her ordinary revenues, had been obliged to sell many of the crown lands: and that she could not doubt but her subjects, in a cause where their own honor and interests were so deeply concerned, would willingly contribute to such moderate taxations as should be found necessary for the common defence.[*] The parliament granted her three subsidies and

six fifteenths; the same supply which had been given four years before, but which had then appeared so unusual, that they had voted it should never afterwards be regarded as a precedent.

The commons, this session, ventured to engage in two controversies about forms with the house of peers; a prelude to those encroachments which, as they assumed more courage, they afterwards made upon the prerogatives of the crown. They complained, that the lords failed in civility to them, by receiving their messages sitting with their hats on; and that the keeper returned an answer in the same negligent posture: but the upper house proved, to their full satisfaction, that they were not entitled, by custom and the usage of parliament, to any more respect.[**] Some amendments had been made by the lords to a bill sent up by the commons; and these amendments were written on parchment, and returned with the bill to the commons. The lower house took umbrage at the novelty: they pretended that these amendments ought to have been written on paper, not on parchment; and they complained of this innovation to the peers. The peers replied that they expected not such a frivolous objection from the gravity of the house; and that it was not material, whether the amendments were written on parchment or on paper, nor whether the paper were white, black, or brown. The commons were offended at this reply, which seemed to contain a mockery of them; and they complained of it, though without obtaining any satisfaction.[***]

An application was made, by way of petition, to the queen from the lower house, against monopolies; an abuse which had risen to an enormous height; and they received a gracious though a general answer; for which they returned their thankful acknowledgments.[****]

* D'Ewes, p. 525, 527. Townsend, p. 79.

** D'Ewes, p. 539, 540, 580, 585. Townsend, p. 93, 94, 95.

*** D'Ewes. p, 576, 577.

**** D'Ewes, p, 570, 573.

But not to give them too much encouragement in such applications, she told them, in the speech which she delivered at their dissolution, "that with regard to these patents, she hoped that her dutiful and loving subjects would not take away her prerogative, which is the chief flower in her garden, and the principal and head pearl in her crown and diadem; but that they would rather leave these matters to her disposal." [*] The commons also took notice, this session, of some transactions in the court of high commission; but not till they had previously obtained permission from her majesty to that purpose.[**]

* D'Ewes, p. 547.

** D'Ewes, p. 557, 558.

1598.

Elizabeth had reason to foresee, that parliamentary supplies would now become more necessary to her than ever; and that the chief burden of the war with Spain would thenceforth lie upon England. Henry had received an overture for peace with Philip; but before he would proceed to a negotiation, he gave intelligence of it to his allies, the queen and the states; that, if possible, a general pacification might be made by common agreement. These two powers sent ambassadors to France, in order to remonstrate against peace; the queen, Sir Robert Cecil and Henry Herbert; the states, Justin Nassau and John Barnevelt. Henry said to these ministers,

that his early education had been amidst war and danger, and he had passed the whole course of his life either in arms or in military preparations: that after the proofs which he had given of his alacrity in the field, no one could doubt but he would willingly, for his part, have continued in a course of life to which he was now habituated, till the common enemy were reduced to such a condition as no longer to give umbrage either to him or to his allies: that no private interests of his own, not even those of his people, nothing but the most invincible necessity, could ever induce him to think of a separate peace with Philip, or make him embrace measures not entirely conformable to the wishes of all his confederates: that his kingdom, torn with the convulsions and civil wars of near half a century, required some interval of repose, ere it could reach a condition in which it might sustain itself, much more support its allies: that after the minds of his subjects were composed to tranquillity and accustomed to obedience, after his finances were brought into order, and after agriculture and the arts were restored, France, instead of being a burden, as at present, to her confederates, would be able to lend them effectual succor, and amply to repay them all the assistance which she had received during her calamities: and that, if the ambition of Spain would not at present grant them such terms as they should think reasonable, he hoped that, in a little time, he should attain such a situation as would enable him to mediate more effectually, and with more decisive authority, in their behalf.

The ambassadors were sensible that these reasons were no feigned; and they therefore remonstrated with the less vehemence against the measures which, they saw, Henry was determined to pursue. The states knew that that monarch was interested never to permit their final ruin; and having received private assurances that he would still, notwithstanding the peace, give them assistance both of men and money, they were well pleased to remain on terms of amity with him. His greatest concern was to give satisfaction to Elizabeth for this breach of treaty. He had a cordial esteem for that princess, a sympathy of manners, and a gratitude for the extraordinary favors which he had received from her during his greatest difficulties: and he used every expedient to apologize and atone for that measure which necessity extorted from him. But as Spain refused to treat with the Dutch as a free state, and Elizabeth would not negotiate without her ally, Henry found himself obliged to conclude at Vervins a separate peace, by which he recovered possession of all the places seized by Spain during the course of the civil wars, and procured to himself leisure to pursue the domestic settlement of his kingdom. His capacity for the arts of peace was not inferior to his military talents; and in a little time, by his frugality, order, and wise government, he raised France from the desolation and misery in which she was involved, to a more flourishing condition than she had ever before enjoyed.

The queen knew that she could also, whenever she pleased, finish the war on equitable terms; and that Philip, having no claims upon her, would be glad to free himself from an enemy who had foiled him in every contest, and who still had it so much in her power to make him feel the weight of her arms. Some of her wisest counsellors, particularly the treasurer, advised her to embrace pacific measures; and set before her the advantages of tranquillity, security, and frugality, as more considerable than any success which could attend the greatest victories. But this high-spirited princess, though at first averse to war, seemed now to have attained such an ascendant over the enemy, that she was unwilling to stop the course of her prosperous fortune. She considered, that her situation and her past victories had given her entire security against any dangerous invasion; and the war must thenceforth be conducted by sudden enterprises and naval expeditions, in which she possessed an undoubted superiority: that the weak condition of Philip in the Indies opened to her the view of the most durable advantages; and the yearly return of his treasure by sea afforded a continual prospect of important, though more temporary successes: that after his peace with France, if she also should consent to an

accommodation, he would be able to turn his whole force against the revolted provinces of the Netherlands, which, though they had surprisingly increased their power by commerce and good government, were still unable, if not supported by their confederates, to maintain war against so potent a monarch: and that as her defence of that commonwealth was the original ground of the quarrel, it was unsafe, as well as dishonorable, to abandon its cause till she had placed it in a state of greater security.

These reasons were frequently inculcated on her by the earl of Essex, whose passion for glory, as well as his military talents, made him earnestly desire the continuance of war, from which he expected to reap so much advantage and distinction. The rivalship between this nobleman and Lord Burleigh made each of them insist the more strenuously on his own counsel; but as Essex's person was agreeable to the queen, as well as his advice conformable to her inclinations, the favorite seemed daily to acquire an ascendant over the minister. Had he beer endowed with caution and self-command equal to his shining qualities, he would have so rivetted himself in the queen's confidence, that none of his enemies had ever been able to impeach his credit: but his lofty spirit could ill submit to that implicit deference which her temper required, and which she had ever been accustomed to receive from all her subjects. Being once engaged in a dispute with her about the choice of a governor for Ireland, he was so heated in the argument, that he entirely forgot the rules both of duty and civility, and turned his back upon her in a contemptuous manner. Her anger, naturally prompt and violent, rose at this provocation; and she instantly gave him a box on the ear, adding a passionate expression suited to his impertinence. Instead of recollecting himself, and making the submissions due to her sex and station, he clapped his hand to his sword, and swore, that he would not bear such usage, were it from Henry VIII. himself, and he immediately withdrew from court. Egerton, the chancellor, who loved Essex, exhorted him to repair his indiscretion by proper acknowledgments; and entreated him not to give that triumph to his enemies, that affliction to his friends, which must ensue from his supporting a contest with his sovereign, and deserting the service of his country: but Essex was deeply stung with the dishonor which he had received; and seemed to think, that an insult which might be pardoned in a woman was become a mortal affront when it came from his sovereign. "If the vilest of all indignities," said he, "is done me, does religion enforce me to sue for pardon? Doth God require it? Is it impiety not to do it? Why? Cannot princes err? Cannot subjects receive wrong? Is an earthly power infinite? Pardon me, my lord; I can never subscribe to these principles. Let Solomon's fool laugh when he is stricken; let those that mean to make their profit of princes, show no sense of princes' injuries: let them acknowledge an infinite absoluteness on earth, that do not believe an absolute infiniteness in heaven:" (alluding, probably, to the character and conduct of Sir Walter Raleigh, who lay under the reproach of impiety.) "As for me," continued he, "I have received wrong, I feel it: my cause is good, I know it; and whatsoever happens, all the powers on earth can never exert more strength and constancy in oppressing, than I can show in suffering every thing that can or shall be imposed upon me. Your lordship, in the beginning of your letter, makes me a player, and yourself a looker on: and me a player of my own game, so you may see more than I: but give me leave to tell you, that since you do but see, and I do suffer, I must of necessity feel more than you." [*] 35

* See note II, at the end of the volume.

This spirited letter was shown by Essex to his friends, and they were so imprudent as to disperse copies of it; yet, notwithstanding this additional provocation, the queen's partiality was so prevalent, that she reinstated him in his former favor; and her kindness to him appeared rather to have acquired new force from this short interval of anger and resentment, The death of Burleigh, his antagonist, which happened about the same time, seemed to insure him

constant possession of the queen's confidence; and nothing indeed but his own indiscretion could thenceforth have shaken his well-established credit. Lord Burleigh died in an advanced age; and, by a rare fortune was equally regretted by his sovereign and the people. He rad risen gradually from small beginnings by the mere force of merit; and though his authority was never entirely absolute or uncontrolled with the queen, he was still, during the course of near forty years, regarded as her principal minister. None of her other inclinations or affections could ever overcome her confidence in so useful a counsellor; and as he had had the generosity or good sense to pay assiduous court to her during her sister's reign, when it was dangerous to appear her friend, she thought herself bound in gratitude, when she mounted the throne, to persevere in her attachments to him. He seems not to have possessed any shining talents of address, eloquence, or imagination; and was chiefly distinguished by solidity of understanding, probity of manners, and indefatigable application in business; virtues which, if they do not always enable a man to attain high stations, do certainly qualify him best for filling them. Of all the queen's ministers he alone left a considerable fortune to his posterity; a fortune not acquired by rapine or oppression, but gained by the regular profits of his offices, and preserved by frugality.

The last act of this able minister was the concluding of a new treaty with the Dutch; who, after being in some measure deserted by the king of France, were glad to preserve the queen's alliance, by submitting to any terms which she pleased to require of them. The debt which they owed her was now settled at eight hundred thousand pounds: of this sum they agreed to pay, during the war, thirty thousand pounds a year; and these payments were to continue till four hundred thousand pounds of the debt should be extinguished. They engaged also, during the time that England should continue the war with Spain, to pay the garrisons of the cautionary towns. They stipulated, that if Spain should invade England, or the Isle of Wight, or Jersey, or Scilly, they should assist her with a body of five thousand foot and five hundred horse; and that in case she undertook any naval armament against Spain, they should join an equal number of ships to hers.[*] By this treaty, the queen was eased of an annual charge of a hundred and twenty thousand pounds.

* Rymer, vol. xvi. p. 340.

Soon after the death of Burleigh, the queen, who regretted extremely the loss of so wise and faithful a minister, was informed of the death of her capital enemy, Philip II., who, after languishing under many infirmities, expired in an advanced age at Madrid. This haughty prince, desirous of an accommodation with his revolted subjects in the Netherlands, but disdaining to make in his own name the concessions necessary for that purpose, had transferred to his daughter, married to Archduke Albert, the title to the Low Country provinces; but as it was not expected that this princess could have posterity, and as the reversion, on failure of her issue, was still reserved to the crown of Spain, the states considered this deed only as the change of a name, and they persisted with equal obstinacy in their resistance to the Spanish arms. The other powers also of Europe made no distinction between the courts of Brussels and Madrid; and the secret opposition of France, as well as the avowed efforts of England, continued to operate against the progress of Albert, as it had done against that of Philip.

CHAPTER XLIV.

ELIZABETH.

1599.

Though the dominion of the English over Ireland had been seemingly established above four centuries, it may safely be affirmed, that their authority had hitherto been little more than nominal. The Irish princes and nobles, divided among themselves, readily paid the exterior marks of obeisance to a power which they were not able to resist; but, as no durable force was ever kept on foot to retain them in their duty, they relapsed still into their former state of independence. Too weak to introduce order and obedience among the rude inhabitants, the English authority was yet sufficient to check the growth of any enterprising genius among the natives: and though it could bestow no true form of civil government, it was able to prevent the rise of any such form from the internal combination or policy of the Irish.[*]

* Sir J. Davies, p. 5, 6, 7, etc.

Most of the English institutions, likewise, by which that island was governed, were to the last degree absurd, and such as no state before had ever thought of, for preserving dominion over its conquered provinces.

The English nation, all on fire for the project of subduing France,—a project whose success was the most improbable, and would to them have proved the most pernicious,—neglected all other enterprises, to which their situation so strongly invited them, and which, in time, would have brought them an accession of riches, grandeur, and security. The small army which they maintained in Ireland, they never supplied regularly with pay; and as no money could be levied on the island, which possessed none, they gave their soldiers the privilege of free quarter upon the natives. Rapine and insolence inflamed the hatred which prevailed between the conquerors and the conquered: want of security among the Irish, introducing despair, nourished still more the sloth natural to that uncultivated people.

But the English carried further their ill-judged tyranny, instead of inviting the Irish to adopt the more civilized customs of their conquerors, they even refused, though earnestly solicited, to communicate to them the privilege of their laws and every where marked them out as aliens and as enemies. Thrown out of the protection of justice, the natives could find no security but in force; and flying the neighborhood of cities, which they could not approach with safety, they sheltered themselves in their marshes and forests from the insolence of their inhuman masters. Being treated like wild beasts, they became such; and joining the ardor of revenge to their yet untamed barbarity, they grew every day more intractable and more dangerous.[*]

As the English princes deemed the conquest of the dispersed Irish to be more the object of time and patience than the source of military glory, they willingly delegated that office to private adventurers; who, enlisting soldiers at their own charge, reduced provinces of that island, which they converted to their own profit. Separate jurisdictions and principalities were established by these lordly conquerors: the power of peace and war was assumed: military law was exercised over the Irish whom they subdued, and, by degrees, over the English by whose assistance they conquered; and, after their authority had once taken root, deeming the English institutions less favorable to barbarous dominion, they degenerated into mere Irish, and abandoned the garb, language, manners, and laws of their mother country.[**]

By all this imprudent conduct of England, the natives of its dependent state remained still in that abject condition into which the northern and western parts of Europe were sunk, before they received civility and slavery from the refined policy and irresistible bravery of Rome. Even at the end of the sixteenth century, when every Christian nation was cultivating with ardor

every civil art of life, that island, lying in a temperate climate, enjoying a fertile soil, accessible in its situation, possessed of innumerable harbors, was still, notwithstanding these advantages, inhabited by a people whose customs and manners approached nearer those of savages than of barbarians.[***]

* Sir J. Davies, p. 102, 103, etc.

** Sir J. Davies, p. 133, 134, etc

*** See Spenser's Account of Ireland, throughout.

As the rudeness and ignorance of the Irish were extreme they were sunk below the reach of that curiosity and love of novelty by which every other people in Europe had been seized at the beginning of that century, and which had engaged them in innovations and religious disputes, with which they were still so violently agitated. The ancient superstition, the practices and observances of their fathers, mingled and polluted with many wild opinions, still maintained an unshaken empire over them; and the example alone of the English was sufficient to render the reformation odious to the prejudiced and discontented Irish. The old opposition of manners, laws, and interest was now inflamed by religious antipathy; and the subduing and civilizing of that country seemed to become every day more difficult and more impracticable.

The animosity against the English was carried so far by the Irish, that, in an insurrection raised by two sons of the earl of Clanricarde, they put to the sword all the inhabitants of the town of Athenry, though Irish, because they began to conform themselves to English customs, and had embraced a more civilized form of life than had been practised by their ancestors.[*]

The usual revenue of Ireland amounted only to six thousand pounds a year:[**] the queen, though with much repining,[***] commonly added twenty thousand more, which she remitted from England; and with this small revenue a body of a thousand men was supported, which, on extraordinary emergencies, was augmented to two thousand.[****] No wonder that a force so disproportioned to the object, instead of subduing a mutinous kingdom, served rather to provoke the natives, and to excite those frequent insurrections, which still further inflamed the animosity between the two nations, and increased the disorders to which the Irish were naturally subject.

In 1560, Shan O'Neale, or the great O'Neale, as the Irish called him, because head of that potent clan, raised a rebellion in Ulster; but after some skirmishes, he was received into favor, upon his submission, and his promise of a more dutiful behavior for the future.[v]

* Camden, p. 457.

** Memoirs of the Sidneys, vol. i. p. 86.

*** Cox, p. 342. Sidney, vol. i. p. 85, 200.

**** Camden, p. 542. Sidney, vol. i. p. 65, 109, 183, 184.

v Camden, p. 385, 391. 305

This impunity tempted him to undertake a new insurrection in 1567; but being pushed by Sir Henry Sidney, lord deputy, he retreated into Clandeboy, and rather than submit to the English, he put himself into the hands of some Scottish islanders, who commonly infested those parts by their incursions. The Scots, who retained a quarrel against him on account of former injuries, violated the laws of hospitality, and murdered him at a festival to which they had invited him.

He was a man equally noted for his pride, his violence, his debaucheries, and his hatred of the English nation. He is said to have put some of his followers to death because they endeavored to introduce the use of bread after the English fashion.[*] Though so violent an enemy to luxury, he was extremely addicted to riot; and was accustomed, after his intemperance had thrown him into a fever, to plunge his body into mire, that he might allay the flame which he had raised by former excesses.[**] Such was the life led by this haughty barbarian; who scorned the title of the earl of Tyrone, which Elizabeth intended to have restored to him, and who assumed the rank and appellation of king of Ulster. He used also to say, that though the queen was his sovereign lady, he never made peace with her but at her seeking.[***]

Sir Henry Sidney was one of the wisest and most active governors that Ireland had enjoyed for several reigns;[****] and he possessed his authority eleven years; during which he struggled with many difficulties, and made some progress in repressing those disorders which had become inveterate among the people. The earl of Desmond, in 1569, gave him disturbance, from the hereditary animosity which prevailed between that nobleman and the earl of Ormond, descended from the only family, established in Ireland, that had steadily maintained its loyalty to the English crown.[v] The earl of Thomond, in 1570, attempted a rebellion in Connaught, but was obliged to fly into France before his designs were ripe for execution. Stukely, another fugitive, found such credit with the pope, Gregory XIII., that he flattered that pontiff with the prospect of making his nephew, Buon Compagno, king of Ireland; and, as if this project had already taken effect, he accepted the title of marquis of Leinster from the new sovereign.[v*] He passed next into Spain; and after having received much encouragement and great rewards from Philip, who intended to employ him as an instrument in disturbing Elizabeth, he was found to possess too little interest for executing those high promises which he had made to that monarch.

*	Camden,			p.		409.
**	Camden,	p.	409.	Cox,	p.	324.
***	Camden,			p.		321.
****	Cox,			p.		350.
v	Camden,			p.		424.
v*	Camden,	p.	430.	Cox,	p.	354

He retired into Portugal; and following the fortunes of Don Sebastian, he perished with that gallant prince in his bold but unfortunate expedition against the Moors.

Lord Gray, after some interval, succeeded to the government of Ireland; and in 1579 suppressed a new rebellion of the earl of Desmond, though supported by a body of Spaniards and Italians. The rebellion of the Bourks followed a few years after; occasioned by the strict and equitable administration of Sir Richard Bingham, governor of Connaught, who endeavored to repress the tyranny of the chieftains over their vassals.[*] The queen, finding Ireland so burdensome to her, tried several expediants for reducing it to a state of greater order and submission. She encouraged the earl of Essex, father to that nobleman who was afterwards her favorite, to attempt the subduing and planting of Clandeboy, Ferny, and other territories, part of some late forfeitures; but that enterprise proved unfortunate; and Essex died of a distemper, occasioned, as is supposed, by the vexation which he had conceived from his disappointments. A university was founded in Dublin with a view of introducing arts and learning into that

kingdom, and civilizing the uncultivated manners of the inhabitants.[**] But the most unhappy expedient employed in the government of Ireland, was that made use of in 1585 by Sir John Perrot, at that time lord deputy; he put arms into the hands of the Irish inhabitants of Ulster, in order to enable them, without the assistance of the government, to repress the incursions of the Scottish islanders, by which these parts were much infested.[***] At the same time, the invitations of Philip, joined to their zeal for the Catholic religion, engaged many of the gentry to serve in the Low Country wars, and thus Ireland, being provided with officers and soldiers, with discipline and arms, became formidable to the English, and was thenceforth able to maintain a more regular war against her ancient masters.

* Stowe, p. 720.

** Camden, p. 566.

*** Nanton's Fragmenta Regalia, p. 203.

Hugh O'Neale, nephew to Shan O'Neale, had been raised by the queen to the dignity of earl of Tyrone; but having murdered his cousin, son of that rebel, and being acknowledged head of his clan, he preferred the pride of barbarous license and dominion to the pleasures of opulence and tranquillity, and he fomented all those disorders by which he hoped to weaken or overturn the English government. He was noted for the vices of perfidy and cruelty, so common among uncultivated nations; and was also eminent for courage, a virtue which their disorderly course of life requires, and which, notwithstanding, being less supported by the principle of honor, is commonly more precarious among them than among a civilized people. Tyrone actuated by this spirit, secretly fomented the discontents of the Maguires, O'Donnels, O'Rourks, Macmahons, and other rebels; yet, trusting to the influence of his deceitful oaths and professions, he put himself into the hands of Sir William Russel, who, in the year 1594, was sent over deputy to Ireland. Contrary to the advice and protestation of Sir Henry Bagnal, marshal of the army, he was dismissed; and returning to his own country, he embraced the resolution of raising an open rebellion, and of relying no longer on the lenity or inexperience of the English government. He entered into a correspondence with Spain; he procured thence a supply of arms and ammunition; and having united all the Irish chieftains in a dependence upon himself, he began to be regarded as a formidable enemy.

The native Irish were so poor, that their country afforded few other commodities than cattle and oatmeal, which were easily concealed or driven away on the approach of the enemy; and as Elizabeth was averse to the expense requisite for supporting her armies, the English found much difficulty in pushing their advantages, and in pursuing the rebels into the bogs, woods, and other fastnesses to which they retreated. These motives rendered Sir John Norris, who commanded the English army, the more willing to hearken to any proposals of truce or accommodation made him by Tyrone; and after the war was spun out by these artifices for some years, that gallant Englishman, finding that he had been deceived by treacherous promises, and that he had performed nothing worthy of his ancient reputation, was seized with a languishing distemper, and died of vexation and discontent. Sir Henry Bagnal, who succeeded him in the command, was still more unfortunate. As he advanced to relieve the fort of Black Water, besieged by the rebels, he was surrounded in disadvantageous ground: his soldiers, discouraged by part of their powders accidentally taking fire, were put to flight; and, though the pursuit was stopped by Montacute, who commanded the English horse, fifteen hundred men, together with the general himself, were left dead upon the spot. This victory, so unusual to the Irish, roused their courage, supplied them with arms and ammunition, and raised the

reputation of Tyrone, who assumed the character of the deliverer of his country, and patron of Irish liberty.[*]

The English council were now sensible, that the rebellion of Ireland was come to a dangerous head, and that the former temporizing arts, of granting truces and pacifications to the rebels, and of allowing them to purchase pardons by resigning part of the plunder acquired during their insurrection, served only to encourage the spirit of mutiny and disorder among them. It was therefore resolved to push the war by more vigorous measures; and the queen cast her eye on Charles Blount, Lord Mountjoy, as a man, who, though hitherto less accustomed to arms than to books and literature, was endowed, she thought, with talents equal to the undertaking. But the young earl of Essex, ambitious of fame, and desirous of obtaining this government for himself, opposed the choice of Mountjoy; and represented the necessity of appointing for that important employment, some person more experienced in war than this nobleman, more practised in business, and of higher quality and reputation. By this description, he was understood to mean himself;[**] and no sooner was his desire known, than his enemies, even more zealously than his friends, conspired to gratify his wishes. Many of his friends thought, that he never ought to consent, except for a short time, to accept of any employment which must remove him from court, and prevent him from cultivating that personal inclination which the queen so visibly bore him.[***]

* Cox, p. 415.

** Bacon, vol. iv. p. 512.

*** Cabala, p. 79.

His enemies hoped, that if by his absence she had once leisure to forget the charms of his person and conversation, his impatient and lofty demeanor would soon disgust a princess who usually exacted such profound submission and implicit obedience from all her servants. But Essex was incapable of entering into such cautious views; and even Elizabeth, who was extremely desirous of subduing the Irish rebels, and who was much prepossessed in favor of Essex's genius, readily agreed to appoint him governor of Ireland, by the title of lord lieutenant. The more to encourage him in his undertaking, she granted him by his patent more extensive authority had ever before been conferred on any lieutenant; the power of carrying on or finishing the war as he pleased, of pardoning the rebels, and of filling all the most considerable employments of the kingdom.[*] And to insure him of success, she levied a numerous army of sixteen thousand foot and thirteen hundred horse, which she afterwards augmented to twenty thousand foot and two thousand horse; a force which, it was apprehended, would be able in one campaign to overwhelm the rebels, and make an entire conquest of Ireland. Nor did Essex's enemies, the earl of Nottingham, Sir Robert Cecil, Sir Walter Raleigh, and Lord Cobham, throw any obstacles in the way of these preparations; but hoped that the higher the queen's expectations of success were raised, the more difficult it would be for the event to correspond to them. In a like view, they rather seconded than opposed those exalted encomiums, which Essex's numerous and sanguine friends dispersed, of his high genius, of his elegant endowments, his heroic courage, his unbounded generosity, and his noble birth; nor were they displeased to observe that passionate fondness which the people every where expressed for this nobleman. These artful politicians had studied his character; and finding that his open and undaunted spirit, if taught temper and reserve from opposition, must become invincible, they resolved rather to give full breath to those sails which were already too much expanded and to push him upon dangers of which he seemed to make such small account.[**] And the better to make advantage of his indiscretions, spies were set upon all his actions, and even expressions;

and his vehement spirit, which, while he was in the midst of the court and environed by his rivals, was unacquainted with disguise, could not fail, after he thought himself surrounded by none but friends, to give a pretence for malignant suspicions and constructions.

* Rymer, tom. xvi. p. 366.

** Camden. Osborne, p. 371.

Essex left London in the month of March, attended with the acclamations of the populace; and, what did him more honor, accompanied by a numerous train of nobility and gentry, who, from affection to his person, had attached themselves to his fortunes, and sought fame and military experience under so renowned a commander. The first act of authority which he exercised after his arrival in Ireland, was an indiscretion, but of the generous kind, and in both these respects suitable to his character. He appointed his intimate friend the earl of Southampton, general of the horse; a nobleman who had incurred the queen's displeasure by secretly marrying without her consent, and whom she had therefore enjoined Essex not to employ in any command under him. She no sooner heard of this instance of disobedience, than she reprimanded him, and ordered him to recall his commission to Southampton. But Essex, who had imagined that some reasons which he opposed to her first injunctions had satisfied her, had the imprudence to remonstrate against these second orders;[*] and it was not till she reiterated her commands that he could be prevailed on to displace his friend.

Essex, on his landing at Dublin, deliberated with the Irish council concerning the proper methods of carrying on the war against the rebels; and here he was guilty of a capital error, which was the ruin of his enterprise. He had always, while in England, blamed the conduct of former commanders, who artfully protracted the war, who harassed their troops in small enterprises, and who, by agreeing to truces and temporary pacifications with the rebels, had given them leisure to recruit their broken forces.[**] In conformity to these views, he had ever insisted upon leading his forces immediately into Ulster against Tyrone, the chief enemy; and his instructions had been drawn agreeably to these his declared resolutions. But the Irish counsellors persuaded him that the season was too early for the enterprise, and that as the morasses, in which the northern Irish usually sheltered themselves, would not as yet be passable to the English forces, it would be better to employ the present time in an expedition into Munster. Their secret reason for this advice was, that many of them possessed estates in that province, and were desirous to have the enemy dislodged from their neighborhood;[***] but the same selfish spirit which had induced them to give this counsel, made them soon after disown it, when they found the bad consequences with which it was attended.[****]

* Birch's Memoirs, vol. ii p. 421, 451.

** Birch's Memoirs, vol. ii. p. 431. Bacon, vol. iv. 512.

*** Birch's Memoirs, vol. ii. p. 448.

**** Winwood, vol. i. p. 140.

Essex obliged all the rebels of Munster either to submit or to fly into the neighboring provinces: but as the Irish, from the greatness of the queen's preparations, had concluded that she intended to reduce them to total subjection, or even utterly to exterminate them, they considered their defence as a common cause; and the English forces were no sooner withdrawn, than the inhabitants of Munster relapsed into rebellion, and renewed their

confederacy with their other countrymen. The army, meanwhile, by the fatigue of long and tedious marches, and by the influence of the climate, was become sickly; and on its return to Dublin, about the middle of July, was surprisingly diminished in number. The courage of the soldiers was even much abated: for though they had prevailed in some lesser enterprises against Lord Cahir and others, yet had they sometimes met with more stout resistance than they expected from the Irish, whom they were wont to despise; and as they were raw troops and unexperienced, a considerable body of them had been put to flight at the Glins by an inferior number of the enemy. Essex was so enraged at this misbehavior, that he cashiered all the officers, and decimated the private men.[*] But this act of seventy, though necessary, had intimidated the soldiers, and increased their aversion to the service.

The queen was extremely disgusted, when she heard that so considerable a part of the season was consumed in these frivolous enterprises; and was still more surprised, that Essex persevered in the same practice which he had so much condemned in others, and which he knew to be so much contrary to her purpose and intention. That nobleman, in order to give his troops leisure to recruit from their sickness and fatigue, left the main army in quarters, and marched with a small body of fifteen hundred men into the county of Ophelie against the O'Connors and O'Mores, whom he forced to a submission: but, on his return to Dublin, he found the army so much diminished, that he wrote to the English council an account of its condition, and informed them, that if he did not immediately receive a reënforcement of two thousand men, it would be impossible for him this season to attempt any thing against Tyrone. That there might be no pretence for further inactivity, the queen immediately sent over the number demanded;[**] and Essex began at last to assemble his forces for the expedition into Ulster.

* Cox, p. 421.

** Birch's Memoirs, vol. ii. p. 430. Cox, p. 421.

The army was so averse to this enterprise, and so terrified with the reputation of Tyrone, that many of them counterfeited sickness, many of them deserted;[*] and Essex found, that after leaving the necessary garrisons, he could scarcely lead four thousand men against the rebels. He marched, however, with this small army; but was soon sensible, that in so advanced a season, it would be impossible for him to effect any thing against an enemy who, though superior in number, was determined to avoid every decisive action. He hearkened, therefore, to a message sent him by Tyrone, who desired a conference; and a place near the two camps was appointed for that purpose. The generals met without any of their attendants; and a river ran between them, into which Tyrone entered to the depth of his saddle; but Essex stood on the opposite bank. After half an hour's conference, where Tyrone behaved with great submission to the lord lieutenant, a cessation of arms was concluded to the first of May, renewable from six weeks to six weeks; but which might be broken off by either party upon a fortnight's warning.[**] Essex also received from Tyrone proposals for a peace, in which that rebel had inserted many unreasonable and exorbitant conditions: and there appeared afterwards some reason to suspect that he had here commenced a very unjustifiable correspondence with the enemy.[***]

* Sydney's Letters, vol. ii. p. 112, 113.

** Sydney's Letters, vol. ii. p. 125.

*** Winwood, vol. i. p. 307. State Trials. Bacon, vol. iv. p. 514, 585, 537.

So unexpected an issue of an enterprise, the greatest and most expensive that Elizabeth had ever undertaken, provoked her extremely against Essex; and this disgust was much augmented by other circumstances of that nobleman's conduct. He wrote many letters to the queen and council, full of peevish and impatient expressions; complaining of his enemies, lamenting that their calumnies should be believed against him, and discovering symptoms of a mind equally haughty and discontented. She took care to inform him of her dissatisfaction: but commanded him to remain in Ireland till further orders.

Essex heard at once of Elizabeth's anger, and of the promotion of his enemy, Sir Robert Cecil, to the office of master of the wards, an office to which he himself aspired: and dreading that, if he remained any longer absent, the queen would be totally alienated from him, he hastily embraced a resolution which, he knew, had once succeeded with the earl of Leicester, the former favorite of Elizabeth. Leicester, being informed, while in the Low Countries, that his mistress was extremely displeased with his conduct, disobeyed her orders by coming over to England; and having pacified her by his presence, by his apologies, and by his flattery and insinuation, disappointed all the expectations of his enemies.[*] Essex, therefore, weighing more the similarity of circumstances than the difference of character between himself and Leicester, immediately set out for England; and making speedy journeys, he arrived at court before any one was in the least apprised of his intentions.[**] Though besmeared with dirt and sweat, he hastened upstairs to the presence chamber, thence to the privy chamber; nor stopped till he was in the queen's bed-chamber, who was newly risen, and was sitting with her hair about her face. He threw himself on his knees, kissed her hand, and had some private conference with her; where he was so graciously received, that on his departure he was heard to express great satisfaction, and to thank God that, though he had suffered much trouble and many storms abroad, he found a sweet calm at home.[***]

* Birch's Memoirs, vol. ii. p. 453.

** Winwood, vol. i. p. 118.

*** Sidney's Letters, vol. ii. p. 127.

But this placability of Elizabeth was merely the result of her surprise, and of the momentary satisfaction which she felt on the sudden and unexpected appearance of her favorite: after she had leisure for recollection, all his faults recurred to her; and she thought it necessary, by some severe discipline to subdue that haughty, imperious spirit, who, presuming on her partiality, had pretended to domineer in her councils, to engross all her favor, and to act, in the most important affairs, without regard to her orders and instructions. When Essex waited on her in the afternoon, he found her extremely altered in her carriage towards him: she ordered him to be confined to his chamber; to be twice examined by the council; and though his answers were calm and submissive, she committed him to the custody of Lord Keeper Egerton, and held him sequestered from all company, even from that of his countess, nor was so much as the intercourse of letters permitted between them. Essex dropped many expressions of humiliation and sorrow, none of resentment: he professed an entire submission to the queen's will; declared his intention of retiring into the country, and of leading thenceforth a private life remote from courts and business: but though he affected to be so entirely cured of his aspiring ambition, the vexation of this disappointment, and of the triumph gained by his enemies, preyed upon his haughty spirit, and he fell into a distemper which seemed to put his life in danger.

The queen had always declared to all the world, and even to the earl himself, that the purpose of her severity was to correct, not to ruin him;[*] and when she heard of his sickness, she was

not a little alarmed with his situation. She ordered eight physicians of the best reputation and experience to consult of his case; and being informed that the issue was much to be apprehended, she sent Dr. James to him with some broth, and desired that physician to deliver him a message, which she probably deemed of still greater virtue, that if she thought such a step consistent with her honor, she would herself pay him a visit. The bystanders, who carefully observed her countenance, remarked, that in pronouncing these words her eyes were suffused with tears.[**]

When these symptoms of the queen's returning affection towards Essex were known, they gave a sensible alarm to the faction which had declared their opposition to him. Sir Walter Raleigh in particular, the most violent as well as the most ambitious of his enemies, was so affected with the appearance of this sudden revolution, that he was seized with sickness in his turn; and the queen was obliged to apply the same salve to his wound, and to send him a favorable message, expressing her desire of his recovery.[***]

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The medicine which the queen administered to these aspiring rivals was successful with both; and Essex, being now allowed the company of his countess, and having entertained more promising hopes of his future fortunes, was so much restored in his health as to be thought past danger. A belief was instilled into Elizabeth, that his distemper had been entirely counterfeit, in order to move her compassion;[****] and she relapsed into her former rigor against him. He wrote her a letter, and sent her a rich present on new-year's day, as was usual with the courtiers at that time: she read the letter but rejected the present.[v] After some interval, however, of severity, she allowed him to retire to his own house; and though he remained still under custody, and was sequestered from all company, he was so grateful for this mark of lenity, that he sent her a letter of thanks on the occasion.

* Birch's Memoirs, p. 444, 445. Sidney's Letters, vol. ii. p. 196.

** Sidney's Letters, vol. ii. p. 151.

*** Sidney's Letters, vol. ii. p. 139.

**** Sidney's Letters, vol. ii. p. 153

v Sidney's Letters, vol. ii. p. 155, 156.

"This further degree of goodness," said he, "doth sound in my ears, as if your majesty spake these words: 'Die not, Essex; for though I punish thine offence, and humble thee for thy good yet will I one day be served again by thee.' My prostrate soul makes this answer: 'I hope for that blessed day.' And in expectation of it, all my afflictions of body and mind are humbly, patiently, and cheerfully borne by me."[*] The countess of Essex, daughter of Sir Francis Walsingham, possessed, as well as her husband, a refined taste in literature; and the chief consolation which Essex enjoyed, during this period of anxiety and expectation, consisted in her company, and in reading with her those instructive and entertaining authors, which, even during the time of his greatest prosperity, he had never entirely neglected.

There were several incidents which kept alive the queen's anger against Essex. Every account which she received from Ireland, convinced her more and more of his misconduct in that government, and of the insignificant purposes to which he had employed so much force and treasure. Tyrone, so far from being quelled, had thought proper, in less than three months, to break the truce, and joining with O'Donnel and other rebels, had overrun almost the whole

kingdom. He boasted that he was certain of receiving a supply of men, money, and arms from Spain: he pretended to be champion of the Catholic religion: and he openly exulted in the present of a phoenix plume, which the pope, Clement VIII., in order to encourage him in the prosecution of so good a cause, had consecrated, and had conferred upon him.[**]

* Birch's Memoirs, p. 444.

** Camden p. 617

The queen, that she might check his progress, returned to her former intention of appointing Mountjoy lord deputy; and though that nobleman, who was an intimate friend of Essex, and desired his return to the government of Ireland, did at first very earnestly excuse himself on account of his bad state of health, she obliged him to accept of the employment. Mountjoy found the island almost in a desperate condition; but being a man of capacity and vigor, he was so little discouraged, that he immediately advanced against Tyrone in Ulster. He penetrated into the heart of that country, the chief seat of the rebels; he fortified Derry and Mount-Norris, in order to bridle the Irish: he chased them from the field, and obliged them to take shelter in the woods and morasses: he employed, with equal success, Sir George Carew in Munster: and by these promising enterprises, he gave new life to the queen's authority in that island.

As the comparison of Mountjoy's administration with that of Essex contributed to alienate Elizabeth from her favorite, she received additional disgust from the partiality of the people, who, prepossessed with an extravagant idea of Essex's merit, complained of the injustice done him by his removal from court, and by his confinement. Libels were secretly dispersed against Cecil and Raleigh and all his enemies: and his popularity, which was always great, seemed rather to be increased than diminished by his misfortunes. Elizabeth, in order to justify to the public her conduct with regard to him, had often expressed her intentions of having him tried in the star chamber for his offences: but her tenderness for him prevailed at last over her severity; and she was contented to have him only examined by the privy council. The attorney-general, Coke, opened the cause against him, and treated him with the cruelty and insolence which that great lawyer usually exercised against the unfortunate. He displayed in the strongest colors all the faults committed by Essex in his administration of Ireland: his making Southampton general of the horse, contrary to the queen's injunctions; his deserting the enterprise against Tyrone, and marching to Leinster and Munster, his conferring knighthood on too many persons; his secret conference with Tyrone; and his sudden return from Ireland, in contempt of her majesty's commands. He also exaggerated the indignity of the conditions which Tyrone had been allowed to propose; odious and abominable conditions, said he; a public toleration of an idolatrous religion, pardon for himself and every traitor in Ireland, and full restitution of lands and possessions to all of them.[*] The solicitor-general, Fleming, insisted upon the wretched situation in which the earl had left that kingdom; and Francis, son of Sir Nicholas Bacon, who had been lord keeper in the beginning of the present reign, closed the charge with displaying the undutiful expressions contained in some letters written by the earl.

* Birch's Memoirs, vol. ii. p. 449.

Essex, when he came to plead in his own defence renounced, with great submission and humility, all pretensions to an apology;[*] and declared his resolution never, on this or any other occasion, to have any contest with his sovereign. He said, that having severed himself from the world, and abjured all sentiments of ambition, he had no scruple to confess every failing or error into which his youth, folly, or manifold infirmities might have betrayed him; that his inward sorrow for his offences against her majesty was so profound, that it exceeded all his

outward crosses and afflictions, nor had he any scruple of submitting to a public confession of whatever she had been pleased to impute to him; that in his acknowledgments he retained only one reserve, which he never would relinquish but with his life, the assertion of a loyal and unpolluted heart, of an unfeigned affection, of an earnest desire ever to perform to her majesty the best service which his pool abilities would permit; and that, if this sentiment were allowed by the council, he willingly acquiesced in any condemnation or sentence which they could pronounce against him. This submission was uttered with so much eloquence, and in so pathetic a manner, that it drew tears from many of the audience.[**] All the privy counsellors, in giving their judgment, made no scruple of doing the earl justice with regard to the loyalty of his intentions. Even Cecil, whom he believed his capital enemy, treated him with regard and humanity. And the sentence pronounced by the lord keeper, (to which the council assented,) was in these words: "If this cause," said he, "had been heard in the star chamber, my sentence must have been for as great a fine as ever was set upon any man's head in that court, together with perpetual confinement in that prison which belongeth to a man of his quality, the Tower. But since we are now in another place, and in a course of favor, my censure is, that the earl of Essex is not to execute the office of a counsellor, nor that of earl marshal of England, nor of master of the ordnance; and to return to his own house, there to continue a prisoner till it shall please her majesty to release this and all the rest of his sentence."[***] The earl of Cumberland made a slight opposition to this sentence; and said, that if he thought it would stand, he would have required a little more time to deliberate; that he deemed it somewhat severe; and that any commander-in-chief might easily incur a like penalty.

* Sidney's Letters, vol. ii. p. 200.

** Sidney's Letters, vol. ii. p. 200, 201.

*** Birch's Memoirs, vol. ii. p. 454. Camden, p 626, 627.

"But however," added he, "in confidence of her majesty's mercy, I agree with the rest." The earl of Worcester delivered his opinion in a couple of Latin verses; importing, that where the gods are offended, even, misfortunes ought to be imputed as crimes, and that accident is no excuse for transgressions against the Divinity.

Bacon, so much distinguished afterwards by his high offices, and still more by his profound genius for the sciences, was nearly allied to the Cecil family, being nephew to Lord Burleigh, and cousin-german to the secretary: but notwithstanding his extraordinary talents, he had met with so little protection from his powerful relations, that he had not yet obtained any preferment in the law, which was his profession. But Essex, who could distinguish merit, and who passionately loved it, had entered into an intimate friendship with Bacon; had zealously attempted, though without success, to procure him the office of solicitor-general; and in order to comfort his friend under the disappointment, had conferred on him a present of land to the value of eighteen hundred pounds.[*] The public could ill excuse Bacon's appearance before the council against so munificent a benefactor; though he acted in obedience to the queen's commands: but she was so well pleased with his behavior, that she imposed on him a new task, of drawing a narrative of that day's proceedings, in order to satisfy the public of the justice and lenity of her conduct. Bacon, who wanted firmness of character more than humanity, gave to the whole transaction the most favorable turn for Essex; and, in particular, painted out, in elaborate expression, the dutiful submission which that nobleman discovered in the defence that he made for his conduct. When he read the paper to her, she smiled at that passage, and observed to Bacon, that old love, she saw, could not easily be forgotten. He replied, that he hoped she meant that of herself.[**]

All the world, indeed, expected that Essex would soon be reinstated in his former credit;[***] perhaps, as is usual in reconcilements founded on inclination, would acquire an additional ascendant over the queen, and after all his disgraces would again appear more a favorite than ever.

* Cabala, p. 78.

** Cabala, p. 83.

*** Winwood, vol i. p. 254., Birch's Memoirs, vol. ii p. 462.

They were confirmed in this hope, when they saw that, though he was still prohibited from appearing at court, he was continued in his office of master of horse, and was restored to his liberty, and that all his friends had access to him. Essex himself seemed determined to persevere in that conduct which had hitherto been so successful, and which the queen, by all this discipline, had endeavored to render habitual to him: he wrote to her, that he kissed her majesty's hands, and the rod with which she had corrected him; but that he could never recover his wonted cheerfulness, till she deigned to admit him to that presence which had ever been the chief source of his happiness and enjoyment: and that he had now resolved to make amends for his past errors, to retire into a country solitude, and say with Nebucidnezzar, "Let my dwelling be with the beasts of the field; let me eat grass as an ox, and be wet with the dew of heaven; till it shall please the queen to restore me to my understanding." The queen was much pleased with these sentiments; and replied, that she heartily wished his actions might correspond with his expressions; that he had tried her patience a long time, and it was but fitting she should now make some experiment of his submission; that her father would never have pardoned so much obstinacy; but that, if the furnace of affliction produced such good effects, she should ever after have the better opinion of her chemistry.[*]

The earl of Essex possessed a monopoly of sweet wines; and as his patent was near expiring, he patiently expected that the queen would renew it; and he considered this event as the critical circumstance of his life, which would determine whether he could ever hope to be reinstated in credit and authority.[**] But Elizabeth, though gracious in her deportment, was of a temper somewhat haughty and severe; and being continually surrounded with Essex's enemies, means were found to persuade her, that his lofty spirit was not yet sufficiently subdued, and that he must undergo this further trial, before he could again be safely received into favor. She therefore denied his request; and even added, in a contemptuous style, that an ungovernable beast must be stinted in his provender.[***]

* Camden, p. 628.

** Birch's Memoirs, vol. ii. p. 472.

*** Camden, p. 628.

This rigor, pushed one step too far, proved the final ruin of this young nobleman, and was the source of infinite sorrow and vexation to the queen herself. Essex, who had with great difficulty so long subdued his proud spirit, and whose patience was now exhausted, imagining that the queen was entirely inexorable, burst at once all restraints of submission and of prudence, and determined to seek relief by proceeding to the utmost extremities against his enemies. Even during his greatest favor, he had ever been accustomed to carry matters with a high hand

towards his sovereign, and as this practice gratified his own temper, and was sometimes successful, he had imprudently imagined that it was the only proper method of managing her: [*] but being now reduced to despair, he gave entire reins to his violent disposition, and threw off all appearance of duty and respect. Intoxicated with the public favor which he already possessed, he practised anew every art of popularity; and endeavored to increase the general good will by a hospitable manner of life, little suited to his situation and circumstances. His former employments had given him great connections, with men of the military profession; and he now entertained, by additional caresses and civilities, a friendship with all desperate adventurers, whose attachment, he hoped, might, in his present views, prove serviceable to him. He secretly courted the confidence of the Catholics; but his chief trust lay in the Puritans, whom he openly caressed, and whose manners he seemed to have entirely adopted. He engaged the most celebrated preachers of that sect to resort to Essex House; he had daily prayers and sermons in his family; and he invited all the zealots in London to attend those pious exercises. Such was the disposition now beginning to prevail among the English, that, instead of feasting and public spectacles, the methods anciently practised to gain the populace, nothing so effectually ingratiated an ambitious leader with the public as these fanatical entertainments. And as the Puritanical preachers frequently inculcated in their sermons the doctrine of resistance to the civil magistrate, they prepared the minds of their hearers for those seditious projects which Essex was secretly meditating.[**]

* Cabala, p. 79.

** Birch's Memoirs, vol. ii. p. 463. Camden, p. 630.

But the greatest imprudence of this nobleman proceeded from the openness of his temper, by which he was ill qualified to succeed in such difficult, and dangerous enterprises. He indulged himself in great liberties of speech, and was even heard to say of the queen, that she was now grown an old woman and was become as crooked in her mind as in her body.[*] Some court ladies, whose favors Essex had formerly neglected, carried her these stories, and incensed her to a high degree against him. Elizabeth was ever remarkably jealous on this head; and though she was now approaching to her seventieth year, she allowed her courtiers,[**] and even foreign ambassadors,[***] to compliment her upon her beauty; nor had all her good sense been able to cure her of this preposterous vanity.[****] 37

* Camden, p. 629. Osborne, p. 397. Sir Walter Raleigh's Prerogative of Parliament, p. 43.

** Birch's Memoirs, vol. ii. p. 442, 443.

*** Sidney's Letters, vol. ii. p. 171.

**** See note KK, at the end of the volume.

There was also an expedient employed by Essex, which, if possible, was more provoking to the queen than those sarcasms on her age and deformity; and that was, his secret applications to the king of Scots, her heir and successor. That prince had this year very narrowly escaped a dangerous, though ill-formed conspiracy of the earl of Gowry; and even his deliverance was attended with this disagreeable circumstance, that the obstinate ecclesiastics persisted, in spite of the most incontestable evidence, to maintain to his face, that there had been no such conspiracy. James, harassed with his turbulent and factious subjects, cast a wishful eye to the

succession of England; and in proportion as the queen advanced in years, his desire increased of mounting that throne, on which, besides acquiring a great addition of power and splendor, he hoped to govern a people so much more tractable and submissive. He negotiated with all the courts of Europe, in order to insure himself friends and partisans: he even neglected not the court of Rome and that of Spain; and though he engaged himself in no positive promise, he flattered the Catholics with hopes that, in the event of his succession, they might expect some more liberty than was at present indulged them. Elizabeth was the only sovereign in Europe to whom he never dared to mention his right of succession: he knew that, though her advanced age might now invite her to think of fixing an heir to the crown, she never could bear the prospect of her own death without horror, and was determined still to retain him, and all other competitors, in an entire dependence upon her.

Essex was descended by females from the royal family and some of his sanguine partisans had been so imprudent as to mention his name among those of other pretenders to the crown; but the earl took care, by means of Henry Lee, whom he secretly sent into Scotland, to assure James, that so far from entertaining such ambitious views, he was determined to use every expedient for extorting an immediate declaration in favor of that monarch's right of succession. James willingly hearkened to this proposal, but did not approve of the violent methods which Essex intended to employ. Essex had communicated his scheme to Mountjoy, deputy of Ireland; and as no man ever commanded more the cordial affection and attachment of his friends, he had even engaged a person of that virtue and prudence to entertain thoughts of bringing over part of his army into England, and of forcing the queen to declare the king of Scots her successor.[*] And such was Essex's impatient ardor, that, though James declined this dangerous expedient, he still endeavored to persuade Mountjoy not to desist from the project; but the deputy, who thought that such violence, though it might be prudent, and even justifiable, when supported by a sovereign prince, next heir to the crown, would be rash and criminal if attempted by subjects, absolutely refused his concurrence. The correspondence, however, between Essex and the court of Scotland was still conducted with great secrecy and cordiality; and that nobleman, besides conciliating the favor of James, represented all his own adversaries as enemies to that prince's succession, and as men entirely devoted to the interests of Spain, and partisans of the chimerical title of the infanta.

* Birch's Memoirs, vol. ii. p. 471.

The infanta and the archduke Albert had made some advances to the queen for peace; and Boulogne, as a neutral town, was chosen for the place of conference. Sir Henry Nevil, the English resident in France, Herbert, Edmondes, and Beale, were sent thither as ambassadors from England; and negotiated with Zuniga, Carillo, Richetrdot, and Verheiken, ministers of Spain and the archduke: but the conferences were soon broken off, by disputes with regard to the ceremonial. Among the European states, England had ever been allowed the precedency above Castile, Arragon, Portugal, and the other kingdoms of which the Spanish monarchy was composed; and Elizabeth insisted, that this ancient right was not lost on account of the junction of these states, and that that monarchy in its present situation, though it surpassed the English in extent as well as in power, could not be compared with it in point of antiquity, the only durable and regular foundation of precedency among kingdoms as well as noble families. That she might show, however, a pacific disposition, she was content to yield to an equality; but the Spanish ministers, as their nation had always disputed precedency even with France, to which England yielded, would proceed no further in the conference till their superiority of rank were acknowledged.[*] During the preparations for this abortive negotiation, the earl of Nottingham, the admiral, Lord Buckhurst, treasurer, and Secretary Cecil, had discovered their inclination to peace, but as the English nation, flushed with success, and sanguine in their hopes of plunder

and conquest, were in general averse to that measure, it was easy for a person so popular as Essex to infuse into the multitude an opinion, that these ministers had sacrificed the interests of their country to Spain, and would even make no scruple of receiving a sovereign from that hostile nation.

* Winwood's Memorials, vol. i. p. 186—226.

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But Essex, not content with these arts for decrying his adversaries, proceeded to concert more violent methods of ruining them; chiefly instigated by Cuffe, his secretary, a man of a bold and arrogant spirit, who had acquired a great ascendant over his patron. A select council of malecontents was formed, who commonly met at Drury House, and were composed of Sir Charles Davers, to whom the house belonged, the earl of Southampton, Sir Ferdinando Gorges, Sir Christopher Blount, Sir John Davies, and John Littleton; and Essex, who boasted that he had a hundred and twenty barons, knights, and gentlemen of note at his devotion, and who trusted still more to his authority with the populace, communicated to his associates those secret designs with which his confidence in so powerful a party had inspired him. Among other criminal projects, the result of blind rage and despair, he deliberated with them concerning the method of taking arms; and asked their opinion, whether he had best begin with seizing the palace or the Tower, or set out with making himself master at once of both places. The first enterprise being preferred, a method was concerted for executing it. It was agreed, that Sir Christopher Blount, with a choice detachment, should possess himself of the palace gates; that Davies should seize the hall, Davers the guard chamber and presence chamber; and that Essex should rush in from the Meuse, attended by a body of his partisans; should entreat the queen, with all demonstrations of humility, to remove his enemies; should oblige her to assemble a parliament; and should, with common consent, settle a new plan of government.[*]

* Camden, p. 630. Birch's Memoirs vol. ii. p. 464. State Trials Bacon, vol. iv. p. 542, 543.

While these desperate projects were in agitation, many reasons of suspicion were carried to the queen; and she sent Robert Sacville, son of the treasurer, to Essex House, on pretence of a visit, but, in reality, with a view of discovering whether there were in that place any unusual concourse of people, or any extraordinary preparations which might threaten an insurrection. Soon after, Essex received a summons to attend the council, which met at the treasurer's house; and while he was musing on this circumstance, and comparing it with the late unexpected visit from Sacville, a private note was conveyed to him, by which he was warned to provide for his own safety. He concluded, that all his conspiracy was discovered, at least suspected; and that the easiest punishment which he had reason to apprehend, was a new and more severe confinement: he therefore excused himself to the council on pretence of an indisposition; and he immediately despatched messages to his more intimate confederates, requesting their advice and assistance in the present critical situation of his affairs. They deliberated, whether they should abandon all their projects, and fly the kingdom; or instantly seize the palace with the force which they could assemble; or rely upon the affections of the citizens, who were generally known to have a great attachment to the earl. Essex declared against the first expedient, and professed himself determined to undergo any fate rather than submit to live the life of a fugitive. To seize the palace seemed impracticable without more preparations; especially as the queen seemed now aware of their projects, and, as they heard, had used the precaution of doubling her ordinary guards. There remained, therefore, no expedient but that of betaking themselves to the city; and while the prudence and feasibility of

this resolution was under debate, a person arrived, who, as if he had received a commission for the purpose, gave them assurance of the affections of the Londoners, and affirmed that they might securely rest any project on that foundation. The popularity of Essex had chiefly buoyed him up in all his vain undertakings; and he fondly imagined, that, with no other assistance than the good will of the multitude, he might overturn Elizabeth's government, confirmed by time, revered for wisdom, supported by vigor, and concurring with the general sentiments of the nation. The wild project of raising the city was immediately resolved on; the execution of it was decayed till next day; and emissaries were despatched to all Essex's friends, informing them that Cobham and Raleigh had laid schemes against his life, and entreating their presence and assistance.

Next day, there appeared at Essex House the earls of Southampton and Rutland, the lords Sandys and Monteagle, with about three hundred gentlemen of good quality and fortune; and Essex informed them of the danger to which, he pretended, the machinations of his enemies exposed him. To some, he said that he would throw himself at the queen's feet, and crave her justice and protection; to others, he boasted of his interest in the city, and affirmed that, whatever might happen, this resource could never fail him. The queen was informed of these designs, by means of intelligence conveyed, as is supposed, to Raleigh by Sir Ferdinando Gorges; and having ordered the magistrates of London to keep the citizens in readiness, she sent Egerton, lord keeper; to Essex House, with the earl of Worcester, Sir William Knollys, comptroller, and Popham, chief justice, in order to learn the cause of these unusual commotions. They were with difficulty admitted through a wicket; but all their servants were excluded, except the purse-bearer. After some altercation, in which they charged Essex's retainers, upon their allegiance, to lay down, their arms, and were menaced in their turn by the angry multitude who surrounded them, the earl, who found that matters were past recall, resolved to leave them prisoners in his house, and to proceed to the execution of his former project. He sallied forth with about two hundred attendants, armed only with walking swords; and in his passage to the city was joined by the earl of Bedford and Lord Cromwell He cried aloud, "For the queen! for the queen! a plot is laid for my life;" and then proceeded to the house of Smith the sheriff, on whose aid he had great reliance. The citizens flocked about him in amazement; but though he told them that England was sold to the infanta, and exhorted them to arms instantly otherwise they could not do him any service, no one showed a disposition to join him. The sheriff, on the earl's approach to his house, stole out at the back door, and made the best of his way to the mayor. Essex, meanwhile, observing the coldness of the citizens, and hearing that he was proclaimed a traitor by the earl of Cumberland and Lord Burleigh, began to despair of success, and thought of retreating to his own house. He found the streets in his passage barricaded and guarded by the citizens under the command of Sir John Levison. In his attempt to force his way, Tracy, a young gentleman to whom he bore great friendship, was killed, with two or three of the Londoners; and the earl himself, attended by a few of his partisans, (for the greater part began secretly to withdraw themselves,) retired towards the river, and taking boat, arrived at Essex House. He there found that Gorges, whom he had sent before to capitulate with the lord keeper and the other counsellors, had given all of them their liberty, and had gone to court with them. He was now reduced to despair; and appeared determined, in prosecution of Lord Sandy's advice, to defend himself to the last extremity, and rather to perish like a brave man, with his sword in his hand, than basely by the hands of the executioner: but after some parley, and after demanding in vain, first hostages, then conditions, from the besiegers, he surrendered at discretion; requesting only civil treatment, and a fair and impartial hearing.[*]

The queen, who, during all this commotion, had behaved with as great tranquillity and security as if there had only passed a fray in the streets, in which she was nowise concerned,[**] soon gave orders for the trial of the most considerable of the criminals.

* Camden p. 632.

** Birch's Memoirs, vol. ii. p. 469

The earls of Essex and Southampton were arraigned before a jury of twenty-five peers, where Buckhurst acted as lord steward. The guilt of the prisoners was too apparent to admit of any doubt; and, besides the insurrection known to every body, the treasonable conferences at Drury House were proved by undoubted evidence. Sir Ferdinando Gorges was produced in court: the confessions of the earl of Rutland, of the lords Cromwell, Sandys, and Monteagle, of Davers, Blount, and Davies, were only read to the peers, according to the practice of that age. Essex's best friends were scandalized at his assurance in insisting so positively on his innocence, and the goodness of his intentions, and still more at his vindictive disposition, in accusing, without any appearance of reason, Secretary Cecil as a partisan of the infanta's title. The secretary, who had expected this charge, stepped into the court, and challenged Essex to produce his authority, which, on examination, was found extremely weak and frivolous.[*]

* Bacon, vol. iv. p. 530.

When sentence was pronounced, Essex spoke like a man who expected nothing but death; but he added, that he should be sorry if he were represented to the queen as a person that despised her clemency; though he should not, he believed, make any cringing submissions to obtain it. Southampton's behavior was more mild and submissive; he entreated the good offices of the peers in so modest and becoming a manner, as excited compassion in every one.

The most remarkable circumstance in Essex's trial was Bacon's appearance against him. He was none of the crown lawyers; so was not obliged by his office to assist at this trial: yet did he not scruple, in order to obtain the queen's favor, to be active in bereaving of life his friend and patron, whose generosity he had often experienced. He compared Essex's conduct, in pretending to fear the attempts of his adversaries, to that of Pisistratus the Athenian, who cut and wounded his own body, and, making the people believe that his enemies had committed the violence, obtained a guard for his person, by whose assistance he afterwards subdued the liberties of his country.

After Essex had passed some days in the solitude and reflections of a prison, his proud heart was at last subdued, not by the fear of death, but by the sentiments of religion; a principle which he had before attempted to make the instrument of his ambition, but which now took a more firm hold of his mind, and prevailed over every other motive and consideration. His spiritual directors persuaded him, that he never could obtain the pardon of Heaven, unless he made a full confession of his disloyalty; and he gave in to the council an account of all his criminal design, as well as of his correspondence with the king of Scots. He spared not even his most intimate friends, such as Lord Mountjoy, whom he had engaged in these conspiracies; and he sought to pacify his present remorse by making such atonements as, in any other period of his life, he would have deemed more blamable than those attempts themselves which were the objects of his penitence.[*] Sir Henry Nevil, in particular, a man of merit, he accused of a correspondence with the conspirators though it appears that this gentleman had never assented to the proposals made him, and was no further criminal than in not revealing the earl's treason; an office to which every man of honor naturally bears the strongest reluctance.[**] Nevil was thrown into prison, and underwent a severe persecution but as the

queen found Mountjoy an able and successful commander, she continued him in his government, and sacrificed her resentment to the public service.

Elizabeth affected extremely the praise of clemency; and in every great example which she had made during her reign, she had always appeared full of reluctance and hesitation: but the present situation of Essex called forth all her tender affections, and kept her in the most real agitation and irresolution. She felt a perpetual combat between resentment and inclination, pride and compassion, the care of her own safety and concern for her favorite; and her situation, during this interval, was perhaps more an object of pity than that to which Essex himself was reduced. She signed the warrant for his execution; she countermanded it; she again resolved on his death; she felt a new return of tenderness. Essex's enemies told her, that he himself desired to die, and had assured her, that she could never be in safety while he lived: it is likely that this proof of penitence and of concern for her would produce a contrary effect to what they intended, and would revive all the fond affection which she had so long indulged towards the unhappy prisoner. But what chiefly hardened her heart against him was his supposed obstinacy, in never making, as she hourly expected, any application to her for mercy; and she finally gave her consent to his execution. He discovered at his death symptoms rather of penitence and piety than of fear; and willingly acknowledged the justice of the sentence by which he suffered. The execution was private in the Tower, agreeably to his own request. He was apprehensive, he said, lest the favor and compassion of the people would too much raise his heart in those moments, when humiliation under the afflicting hand of Heaven was the only proper sentiment which he could indulge.[***] And the queen no doubt, thought that prudence required the removing of so melancholy a spectacle from the public eye.

* Winwood, vol. i. p. 300.

** Winwood, vol. i. p. 302.

*** Dr. Barlow's Sermon on Essex's Execution. Bacon, vol. iv. p. 534

Sir Walter Raleigh, who came to the Tower on purpose, and who beheld Essex's execution from a window, increased much by this action the general hatred under which he already labored: it was thought, that his sole intention was to feast his eyes with the death of an enemy; and no apology which he could make for so ungenerous a conduct could be accepted by the public. The cruelty and animosity with which he urged on Essex's fate, even when Cecil relented,[*] were still regarded as the principles of this unmanly behavior.

* Murdin, p. 811.

The earl of Essex was but thirty-four years of age, when his rashness, imprudence, and violence brought him to this untimely end. We must here, as in many other instances, lament the inconstancy of human nature, that a person endowed with so many noble virtues—generosity, sincerity, friendship, valor, eloquence, and industry—should, in the latter period of his life, have given reins to his ungovernable passions, and involved, not only himself, but many of his friends, in utter ruin. The queen's tenderness and passion for him, as it was the cause of those premature honors which he attained, seems, on the whole, the chief circumstance which brought on his unhappy fate. Confident of her partiality towards him, as well as of his own merit, he treated her with a haughtiness which neither her love nor her dignity could bear; and as her amorous inclinations, in so advanced an age, would naturally make her appear ridiculous, if not odious, in his eyes, he was engaged, by an imprudent openness, of which he made

profession, to discover too easily those sentiments to her. The many reconciliations and returns of affection, of which he had still made advantage, induced him to venture on new provocations, till he pushed her beyond all bounds of patience; and he forgot, that though the sentiments of the woman were ever strong in her, those of the sovereign had still in the end appeared predominant.

Some of Essex's associates, Cuffe, Davers, Blount, Meric, and Davies, were tried and condemned, and all of these except Davies, were executed. The queen pardoned the rest; being persuaded that they were drawn in merely from their friendship to that nobleman, and their care of his safety, and were ignorant of the more criminal part of his intentions.

Southampton's life was saved with great difficulty; but he was detained in prison during the remainder of this reign.

The king of Scots, apprehensive lest his correspondence with Essex might have been discovered, and have given offence to Elizabeth sent the earl of Marre and Lord Kinloss as ambassadors to England, in order to congratulate the queen on her escape from the late insurrection and conspiracy. They were also ordered to make secret inquiry, whether any measures had been taken by her for excluding him from the succession, as well as to discover the inclinations of the chief nobility and counsellors, in case of the queen's demise.[*] They found the dispositions of men as favorable as they could wish; and they even entered into a correspondence with Secretary Cecil, whose influence, after the fall of Essex, was now uncontrolled,[**] and who was resolved, by this policy, to acquire in time the confidence of the successor. He knew how jealous Elizabeth ever was of her authority, and he therefore carefully concealed from her his attachment to James: but he afterwards asserted, that nothing could be more advantageous to her than this correspondence; because the king of Scots, secure of mounting the throne by his undoubted title, aided by those connections with the English ministry was the less likely to give any disturbance to the present sovereign. He also persuaded that prince to remain in quiet, and patiently to expect that time should open to him the inheritance of the crown, without pushing his friends on desperate enterprises, which would totally incapacitate them from serving him. James's equity, as well as his natural facility of disposition, easily inclined him to embrace that resolution;[***] and in this manner the minds of the English were silently but universally disposed to admit, without opposition, the succession of the Scottish line: the death of Essex, by putting an end to faction, had been rather favorable than prejudicial to that great event.

The French king, who was little prepossessed in favor of James, and who, for obvious reasons, was averse to the union of England and Scotland,[****] made his ambassador drop some hints to Cecil of Henry's willingness to concur in any measure for disappointing the hopes of the Scottish monarch; but as Cecil showed an entire disapprobation of such schemes.

* Birch's Memoirs, vol. ii. p. 510.

** Osborne, p. 615.

*** Spotswood, p. 471, 472

**** Winwood, vol. i. p. 352

The court of France took no further steps in that matter; and thus the only foreign power which could give much disturbance to James's succession, was induced to acquiesce in it.[*]

* Spotswood, p. 471

Henry made a journey this summer to Calais; and the queen, hearing of his intentions, went to Dover, in hopes of having a personal interview with a monarch, whom, of all others, she most loved and most respected. The king of France, who felt the same sentiments towards her, would gladly have accepted of the proposal; but as many difficulties occurred, it appeared necessary to lay aside, by common consent, the project of an interview. Elizabeth, however, wrote successively two letters to Henry, one by Edmondes, another by Sir Robert Sidney; in which she expressed a desire of conferring about a business of importance, with some minister in whom that prince reposed entire confidence. The marquis of Rosni the king's favorite and prime minister, came to Dover in disguise; and the memoirs of that able statesman contain a full account of his conference with Elizabeth. This princess had formed a scheme for establishing, in conjunction with Henry, a new system in Europe, and of fixing a durable balance of power, by the erection of new states on the ruins of the house of Austria. She had even the prudence to foresee the perils which might ensue from the aggrandizement of her ally; and she purposed to unite all the seventeen provinces of the Low Countries in one republic, in order to form a perpetual barrier against the dangerous increase of the French as well as of the Spanish monarchy. Henry had himself long meditated such a project against the Austrian family; and Rosni could not forbear expressing his astonishment, when he found that Elizabeth and his master, though they had never communicated their sentiments on this subject, not only had entered into the same general views, but had also formed the same plan for their execution. The affairs, however, of France were not yet brought to a situation which might enable Henry to begin that great enterprise; and Rosni satisfied the queen that it would be necessary to postpone for some years their united attack on the house of Austria. He departed, filled with just admiration at the solidity of Elizabeth's judgment, and the greatness of her mind; and he owns, that she was entirely worthy of that high reputation which she enjoyed in Europe.

The queen's magnanimity in forming such extensive projects was the more remarkable, as, besides her having fallen so far into the decline of life, the affairs of Ireland, though conducted with abilities and success, were still in disorder, and made a great diversion of her forces. The expense incurred by this war lay heavy upon her narrow revenues; and her ministers, taking advantage of her disposition to frugality, proposed to her an expedient of saving, which, though she at first disapproved of it, she was at last induced to embrace. It was represented to her, that the great sums of money remitted to Ireland for the pay of the English forces, came, by the necessary course of circulation, into the hands of the rebels, and enabled them to buy abroad all necessary supplies of arms and ammunition, which, from the extreme poverty of that kingdom and its want of every useful commodity, they could not otherwise find means to purchase. It was therefore recommended to her, that she should pay her forces in base money; and it was asserted that, besides the great saving to the revenue, this species of coin could never be exported with advantage, and would not pass in any foreign market. Some of her wiser counsellors maintained, that if the pay of the soldiers were raised in proportion, the Irish rebels would necessarily reap the same benefit from the base money, which would always be taken at a rate suitable to its value; if the pay were not raised, there would be danger of a mutiny among the troops, who, whatever names might be affixed to the pieces of metal, would soon find from experience that they were defrauded in their income.[*] But Elizabeth, though she justly valued herself on fixing the standard of the English coin, much debased by her predecessors, and had innovated very little in that delicate article, was seduced by the specious arguments employed by the treasurer on this occasion; and she coined a great quantity of base money, which he made use of in the pay of her forces in Ireland.[**]

* Camden, p. 643

** Rymer, tom, xvi. p. 414.

Mountjoy, the deputy, was a man of abilities; and foreseeing the danger of mutiny among the troops, he led them instantly into the field, and resolved, by means of strict discipline, and by keeping them employed against the enemy, to obviate those inconveniencies which were justly to be apprehended. He made military roads, and built a fortress at Moghery; he drove the Mac-Genises out of Lecale; he harassed Tyrone in Ulster with inroads and lesser expeditions; and by destroying every where, and during all seasons, the provisions of the Irish, he reduced them to perish by famine in the woods and morasses, to which they were obliged to retreat. At the same time, Sir Henry Docwray, who commanded another body of troops, took the Castle of Derry, and put garrisons into Newton and Ainogh; and having seized the monastery of Donnegal, near Balishannon, he threw troops into it, and defended it against the assaults of O'Donnel and the Irish. Nor was Sir George Carew idle in the province of Munster. He seized the titular earl of Desmond, and sent him over, with Florence Macarty, another chieftain, prisoner to England. He arrested many suspected persons, and took hostages from others. And having got a reënforcement of two thousand men from England, he threw himself into Corke, which he supplied with arms and provisions; and he put every thing in a condition for resisting the Spanish invasion, which was daily expected. The deputy, informed of the danger to which the southern provinces were exposed, left the prosecution of the war against Tyrone, who was reduced to great extremities; and he marched with his army into Munster.

At last the Spaniards, under Don John d'Aquila, arrived at Kinsale; and Sir Richard Piercy, who commanded in the town with a small garrison of a hundred and fifty men, found himself obliged to abandon it on their appearance. These invaders amounted to four thousand men, and the Irish discovered a strong propensity to join them, in order to free themselves from the English government, with which they were extremely discontented. One chief ground of their complaint, was the introduction of trials by jury;[*] an institution abhorred by that people, though nothing contributes more to the support of that equity and liberty for which the English laws are so justly celebrated.

* Camden, p 644.

The Irish, also, bore a great favor to the Spaniards, having entertained the opinion that they themselves were descended from that nation; and their attachment to the Catholic religion proved a new cause of affection to the invaders. D'Aquila assumed the title of general "in the holy war for the preservation of the faith" in Ireland; and he endeavored to persuade the people that Elizabeth was, by several bulls of the pope, deprived of her crown; that her subjects were absolved from their oaths of allegiance; and that the Spaniards were come to deliver the Irish from the dominion of the devil.[*] Mountjoy found it necessary to act with vigor, in order to prevent a total insurrection of the Irish; and having collected his forces, he formed the siege of Kinsale by land, while Sir Richard Levison, with a small squadron, blockaded it by sea. He had no sooner begun his operations than he heard of the arrival of another body of two thousand Spaniards under the command of Alphonso Ocampo, who had taken possession of Baltimore and Berehaven; and he was obliged to detach Sir George Carew to oppose their progress. Tyrone, meanwhile, with Randal, Mac-Surley, Tirel, baron of Kelley, and other chieftains of the Irish, had joined Ocampo with all their forces, and were marching to the relief of Kinsale. The deputy, informed of their design by intercepted letters, made preparations to receive them; and being reenforced by Levison with six hundred marines, he posted his troops on an advantageous ground, which lay on the passage of the enemy, leaving some cavalry to prevent a sally from D'Aquila and the Spanish garrison. When Tyrone, with a detachment of Irish and

Spaniards, approached, he was surprised to find the English so well posted, and ranged in good order, and he immediately sounded a retreat: but the deputy gave orders to pursue him; and having thrown these advanced troops into disorder, he followed them to the main body, whom he also attacked and put to flight, with the slaughter of twelve hundred men.[**] Ocampo was taken prisoner; Tyrone fled into Ulster; O'Donnel made his escape into Spain; and D'Aquila, finding himself reduced to the greatest difficulties, was obliged to capitulate upon such terms as the deputy prescribed to him; he surrendered Kinsale and Baltimore, and agreed to evacuate the kingdom. This great blow, joined to other successes gained by Wlimot, governor of Kerry, and by Roger and Gavin Harvey, threw the rebels into dismay, and gave a prospect of the final reduction of Ireland.

The Irish war, though successful, was extremely burdensome on the queen's revenue; and besides the supplies granted by parliament, which were indeed very small, but which they ever regarded as mighty concessions, she had been obliged, notwithstanding her great frugality, to employ other expedients, such as selling the royal demesnes and crown jewels,[***] and exacting loans from the people,[****] in order to support this cause, so essential to the honor and interests of England.

* Camden, p. 645.

** Winwood, vol. i. p. 369.

*** D'Ewes, p. 629.

**** D'Ewes, p. 629.

The necessity of her affairs obliged her again to summon a parliament; and it here appeared, that though old age was advancing fast upon her, though she had lost much of her popularity by the unfortunate execution of Essex, insomuch that when she appeared in public she was not attended with the usual acclamations,[*] yet the powers of her prerogative, supported by her vigor, still remained as high and uncontrollable as ever.

The active reign of Elizabeth had enabled many persons to distinguish themselves in civil and military employments; and the queen, who was not able from her revenue to give them any rewards proportioned to their services, had made use of an expedient which had been employed by her predecessors, but which had never been carried to such an extreme as under her administration. She granted her servants and courtiers patents for monopolies; and these patents they sold to others, who were thereby enabled to raise commodities to what price they pleased, and who put invincible restraints upon all commerce, industry, and emulation in the arts. It is astonishing to consider the number and importance of those commodities which were thus assigned over to patentees. Currants, salt, iron, powder, cards, calf-skins, fells, pouldavies, ox-shin-bones, train oil, lists of cloth, potashes, aniseseeds, vinegar, seacoals, steel, aquavitæ, brushes, pots, bottles, saltpetre, lead, accidences, oil, calamine stone, oil of blubber, glasses, paper, starch, tin, sulphur, new drapery, dried pilchards, transportation of iron ordnance, of beer, of horn, of leather, importation of Spanish wool, of Irish yarn: these are but a part of the commodities which had been appropriated to monopolists.[**] When this list was read in the house, a member cried, "Is not bread in the number?" "Bread," said every one with astonishment. "Yes, I assure you," replied he, "if affairs go on at this rate, we shall have bread reduced to a monopoly before next parliament." [***] These monopolists were so exorbitant in their demands, that in some places they raised the price of salt from sixteen pence a bushel, to fourteen or fifteen shillings.[****]

* D'Ewes, p 629. Osborne, p. 604.

** D'Ewes, p 648, 650, 652.

*** D'Ewes, p. 648.

**** D'Ewes, p. 647.

Such high profits naturally begat intruders upon their commerce; and in order to secure themselves against encroachments, the patentees were armed with high and arbitrary powers from the council, by which they were enabled to oppress the people at pleasure, and to exact money from such as they thought proper to accuse of interfering with their patent.[*] The patentees of saltpetre, having the power of entering into every house, and of committing what havoc they pleased in stables, cellars, or wherever they suspected saltpetre might be gathered, commonly extorted money from those who desired to free themselves from this damage or trouble.[**] And while all domestic intercourse was thus restrained, lest any scope should remain for industry, almost every species of foreign commerce was confined to exclusive companies, who bought and sold at any price that they themselves thought proper to offer or exact.

These grievances, the most intolerable for the present, and the most pernicious in their consequences, that ever were known in any age or under any government, had been mentioned in the last parliament, and a petition had even been presented to the queen, complaining of the patents; but she still persisted in defending her monopolists against her people. A bill was now introduced into the lower house, abolishing all these monopolies; and as the former application had been unsuccessful, a law was insisted on as the only certain expedient for correcting these abuses. The courtiers, on the other hand, maintained, that this matter regarded the prerogative, and that the commons could never hope for success, if they did not make application, in the most humble and respectful manner, to the queen's goodness and beneficence. The topics which were advanced in the house, and which came equally from the courtiers and the country gentlemen, and were admitted by both, will appear the most extraordinary to such as are prepossessed with an idea of the privileges enjoyed by the people during that age, and of the liberty possessed under the administration of Elizabeth. It was asserted that the queen inherited both an enlarging and a restraining power; by her prerogative she might set at liberty what was restrained by statute or otherwise, and by her prerogative she might restrain what was otherwise at liberty:[***] that the royal prerogative was not to be canvassed, nor disputed, nor examined;[****] and did not even admit of any limitation.[v]

* D'Ewes, p. 644, 646, 652.

** D'Ewes, p. 653.

*** D'Ewes, p. 644, 675.

**** D'Ewes, p. 644, 649.

v D'Ewes, p. 646. 654.

That absolute princes, such as the sovereigns of England, were a species of divinity;[*] that it was in vain to attempt tying the queen's hands by laws or statutes; since, by means of her dispensing power, she could loosen herself at pleasure:[**] and that even if a clause should be

annexed to a statute, excluding her dispensing power, she could first dispense with that clause and then with the statute.[***] After all this discourse, more worthy of a Turkish divan than of an English house of commons, according to our present idea of this assembly, the queen, who perceived how odious monopolies had become, and what heats were likely to arise, sent for the speaker, and desired him to acquaint the house, that she would immediately cancel the most grievous and oppressive of these patents.[****] 38

The house was struck with astonishment, and admiration and gratitude, at this extraordinary instance of the queen's goodness and condescension. A member said, with tears in his eyes, that if a sentence of everlasting happiness had been pronounced in his favor, he could not have felt more joy than that with which he was at present over whelmed.[v] Another observed, that this message from the sacred person of the queen was a kind of gospel or glad tidings, and ought to be received as such, and be written in the tablets of their hearts.[v*] And it was further remarked, that in the same manner as the Deity would not give his glory to another, so the queen herself was the only agent in their present prosperity and happiness.[v**] The house voted, that the speaker, with a committee, should ask permission to wait on her majesty, and return thanks to her for her gracious concessions to her people.

When the speaker, with the other members, was introduced to the queen, they all flung themselves on their knees, and remained in that posture a considerable time, till she thought proper to express her desire that they should rise.[v***]

* D'Ewes, p. 649.

** D'Ewes, p. 649.

*** D'Ewes, p. 640, 646.

**** See note LL, at the end of the volume.

v D'Ewes, p. 654.

v* D'Ewes, p. 656.

v** D'Ewes, p. 657.

v*** We learn from Hentzner's Travels, that no one spoke to Queen Elizabeth without kneeling; though now and then she raised some with waving her hand. Nay, wherever she turned her eye, every one fell on his knees. Her successor first allowed his courtiers to omit this ceremony; and as he exerted not the power, so he relinquished the appearance of despotism. Even when Queen Elizabeth was absent, those who covered her table, though persons of quality, neither approached it nor retired from it without kneeling, and that often three times.

The speaker displayed the gratitude of the commons, because her sacred ears were ever open to hear them, and her blessed hands ever stretched out to relieve them. They acknowledged, he said, in all duty and thankfulness acknowledged, that, before they called, her "preventing grace" and "all-deserving goodness" watched over them for their good; more ready to give than they could desire, much less deserve. He remarked, that the attribute which was most proper

to God, to perform all he promiseth, appertained also to her; and that she was all truth, all constancy, and all goodness. And he concluded with these expressions: "Neither do we present our thanks in words or any outward sign, which can be no sufficient retribution for so great goodness; but in all duty and thankfulness, prostrate at your feet, we present our most loyal and thankful hearts, even the last drop of blood in our hearts, and the last spirit of breath in our nostrils, to be poured out, to be breathed up, for your safety." [*]

* D'Ewes, p. 658, 659.

The queen heard very patiently this speech, in which she was flattered in phrases appropriated to the Supreme Being; and she returned an answer full of such expressions of tenderness towards her people, as ought to have appeared fulsome after the late instances of rigor which she had employed, and from which nothing but necessity had made her depart. Thus was this critical affair happily terminated; and Elizabeth, by prudently receding, in time, from part of her prerogative, maintained her dignity, and preserved the affections of her people.

The commons granted her a supply quite unprecedented, of four subsidies and eight fifteenths; and they were so dutiful as to vote this supply before they received any satisfaction in the business of monopolies, which they justly considered as of the utmost importance to the interest and happiness of the nation. Had they attempted to extort that concession by keeping the supply in suspense, so haughty was the queen's disposition, that this appearance of constraint and jealousy had been sufficient to have produced a denial of all their requests, and to have forced her into some acts of authority still more violent and arbitrary.

1602.

The remaining events of this reign are neither numerous nor important. The queen, finding that the Spaniards had involved her in so much trouble, by fomenting and assisting the Irish rebellion, resolved to give them employment at home; and she fitted out a squadron of nine ships, under Sir Richard Levison, admiral, and Sir William Monson, vice-admiral, whom she sent on an expedition to the coast of Spain. The admiral, with part of the squadron, met the galleons loaded with treasure; but was not strong enough to attack them. The vice-admiral also fell in with some rich ships, but they escaped for a like reason; and these two brave officers, that their expedition might not prove entirely fruitless, resolved to attack the harbor of Cerimbra, in Portugal; where, they received intelligence, a very rich carrack had taken shelter. The harbor was guarded by a castle: there were eleven galleys stationed in it; and the militia of the country, to the number, as was believed, of twenty thousand men, appeared in arms on the shore: yet, notwithstanding these obstacles, and others derived from the winds and tides, the English squadron broke into the harbor, dismounted the guns of the castle, sunk, or burnt, or put to flight the galleys, and obliged the carrack to surrender.[*] They brought her home to England, and she was valued at a million of ducats:[**] a sensible loss to the Spaniards, and a supply still more important to Elizabeth.[***]

* Monson, p. 181.

* Camden, p. 647.

* This year the Spaniards began the siege of Ostend, which was bravely defended for five months by Sir Francis Vere. The states then relieved him, by sending a new governor; and on the whole, the siege lasted three years, and is computed to have cost the lives of one hundred thousand men.

The affairs of Ireland, after the defeat of Tyrone and the expulsion of the Spaniards, hastened to a settlement. Lord Mountjoy divided his army into small parties, and harassed the rebels on every side: he built Charlemont and many other small forts, which were impregnable to the Irish, and guarded all the important passes of the country: the activity of Sir Henry Docwray and Sir Arthur Chichester permitted no repose or security to the rebels; and many of the chieftains, after skulking during some time in woods and morasses, submitted to mercy, and received such conditions as the deputy was pleased to impose upon them.

1603.

Tyrone himself made application by Arthur Mac-Baron, his brother, to be received upon terms; but Mountjoy would not admit him, except he made an absolute surrender of his life and fortunes to the queen's mercy. He appeared before the deputy at Millefont, in a habit and posture suitable to his present fortune; and after acknowledging his offence in the most humble terms, he was committed to custody by Mountjoy, who intended to bring him over captive into England, to be disposed of at the queen's pleasure.

But Elizabeth was now incapable of receiving any satisfaction from this fortunate event: she had fallen into a profound melancholy; which all the advantages of her high fortune, all the glories of her prosperous reign, were unable in any degree to alleviate or assuage. Some ascribed this depression of mind to her repentance of granting a pardon to Tyrone, whom she had always resolved to bring to condign punishment for his treasons, but who had made such interest with the ministers as to extort a remission from her. Others, with more likelihood, accounted for her dejection by a discovery which she had made, of the correspondence maintained in her court with her successor, the king of Scots, and by the neglect to which, on account of her old age and infirmities, she imagined herself to be exposed. But there is another cause assigned for her melancholy, which has long been rejected by historians as romantic, but which late discoveries seem to have confirmed:[*] some incidents happened which revived her tenderness for Essex, and filled her with the deepest sorrow for the consent which she had unwarily given to his execution.

* See the proofs of this remarkable fact collected in Birch's Negotiations, p. 206. And Memoirs, vol. ii. p. 481, 505, 506, etc.

The earl of Essex, after his return from the fortunate expedition against Cadiz, observing the increase of the queen's fond attachment towards him, took occasion to regret, that the necessity of her service required him often to be absent from her person, and exposed him to all those ill offices which his enemies, more assiduous in their attendance, could employ against him. She was moved with this tender jealousy; and making him the present of a ring, desired him to keep that pledge of her affection, and assured him, that into whatever disgrace he should fall, whatever prejudices she might be induced to entertain against him, yet, if he sent her that ring, she would immediately upon the sight of it recall her former tenderness, would afford him a patient hearing, and would lend a favorable ear to his apology. Essex, notwithstanding all his misfortunes, reserved this precious gift to the last extremity; but after his trial and condemnation, he resolved to try the experiment, and he committed the ring to the countess of Nottingham, whom he desired to deliver it to the queen. The countess was prevailed on by her husband, the mortal enemy of Essex, not to execute the commission; and Elizabeth, who still expected that her favorite would make this last appeal to her tenderness, and who ascribed the neglect of it to his invincible obstinacy, was, after much delay and many internal combats, pushed by resentment and policy to sign the warrant for his execution. The countess of Nottingham, falling into sickness, and affected with the near approach of death, was seized with remorse for her conduct; and having obtained a visit from the queen, she

craved her pardon, and revealed to her the fatal secret. The queen, astonished with this incident, burst into a furious passion: she shook the dying countess in her bed; and crying to her, "that God might pardon her, but she never could," she broke from her, and thenceforth resigned herself over to the deepest and most incurable melancholy. She rejected all consolation: she even refused food and sustenance: and throwing herself on the floor, she remained sullen and immovable, feeding her thoughts on her afflictions, and declaring life and existence an insufferable burden to her. Few words she uttered; and they were all expressive of some inward grief which she cared not to reveal: but sighs and groans were the chief vent which she gave to her despondency, and which, though they discovered her sorrows, were never able to ease or assuage them. Ten days and nights she lay upon the carpet, leaning on cushions which her maids brought her; and her physicians could not persuade her to allow herself to be put to bed, much less to make trial of any remedies which they prescribed to her.[*]

* Strype, vol. iv. No. 276.

Her anxious mind at last had so long preyed on her frail body, that her end was visibly approaching; and the council, being assembled, sent the keeper, admiral, and secretary, to know her will with regard to her successor. She answered with a faint voice, that as she had held a regal sceptre, she desired no other than a royal successor. Cecil requesting her to explain herself more particularly, she subjoined, that she would have a king to succeed her; and who should that be but her nearest kinsman, the king of Scots? Being then advised by the archbishop of Canterbury to fix her thoughts upon God, she replied, that she did so, nor did her mind in the least wander from him. Her voice soon after left her and senses failed; she fell into a lethargic slumber, which continued some hours; and she expired gently, without further struggle or convulsion, in the seventieth year of her age, and forty-fifth of her reign.

So dark a cloud overcast the evening of that day which had shone out with a mighty lustre in the eyes of all Europe. There are few great personages in history who have been more exposed to the calumny of enemies and the adulation of friends than Queen Elizabeth; and yet there scarcely is any whose reputation has been more certainly determined by the unanimous consent of posterity. The unusual length of her administration, and the strong features of her character, were able to overcome all prejudices; and obliging her detractors to abate much of their invectives, and her admirers somewhat of their panegyrics, have at last, in spite of political factions and, what is more, of religious animosities, produced a uniform judgment with regard to her conduct. Her vigor, her constancy, her magnanimity, her penetration, vigilance, address, are allowed to merit the highest praises, and appear not to have been surpassed by any person that ever filled a throne: a conduct less rigorous, less imperious, more sincere, more indulgent to her people, would have been requisite to form a perfect character. By the force of her mind, she controlled all her more active and stronger qualities, and prevented them from running into excess: her heroism was exempt from temerity, her frugality from avarice, her friendship from partiality, her active temper from turbulency and a vain ambition; she guarded not herself with equal care or equal success from lesser infirmities; the rivalship of beauty, the desire of admiration, the jealousy of love, and the sallies of anger.

Her singular talents for government were founded equally on her temper and on her capacity. Endowed with a great command over herself, she soon obtained an uncontrolled ascendant over her people; and while she merited all their esteem by her real virtues, she also engaged their affections by her pretended ones. Few sovereigns of England succeeded to the throne in more difficult circumstances; and none ever conducted the government with such uniform success and felicity. Though unacquainted with the practice of toleration, the true secret for managing religious factions, she preserved her people, by her superior prudence, from those

confusions in which theological controversy had involved all the neighboring nations: and though her enemies were the most powerful princes of Europe, the most active, the most enterprising, the least scrupulous, she was able by her vigor to make deep impressions on their states; her own greatness, meanwhile, remained untouched and unimpaired.

The wise ministers and brave warriors who flourished under her reign, share the praise of her success; but instead of lessening the applause due to her, they make great addition to it. They owed all of them their advancement to her choice; they were supported by her constancy; and, with all their abilities, they were never able to acquire any undue ascendant over her. In her family, in her court, in her kingdom, she remained equally mistress: the force of the tender passions was great over her, but the force of her mind was still superior; and the combat which her victory visibly cost her, serves only to display the firmness of her resolution, and the loftiness of her ambitious sentiments.

The fame of this princess, though it has surmounted the prejudices both of faction and bigotry, yet lies still exposed to another prejudice, which is more durable because more natural, and which, according to the different views in which we survey her, is capable either of exalting beyond measure, or diminishing the lustre of her character. This prejudice is founded on the consideration of her sex. When we contemplate her as a woman, we are apt to be struck with the highest admiration of her great qualities and extensive capacity; but we are also apt to require some more softness of disposition, some greater lenity of temper, some of those amiable weaknesses by which her sex is distinguished. But the true method of estimating her merit, is to lay aside all these considerations, and consider her merely as a rational being placed in authority, and intrusted with the government of mankind. We may find it difficult to reconcile our fancy to her as a wife or a mistress; but her qualities as a sovereign, though with some considerable exceptions, are the object of undisputed applause and approbation.

APPENDIX III

The party among us who have distinguished themselves by their adhering to liberty and a popular government, have long indulged their prejudices against the succeeding race of princes, by bestowing unbounded panegyrics on the virtue and wisdom of Elizabeth. They have even been so extremely ignorant of the transactions of this reign, as to extol her for a quality which, of all others, she was the least possessed of; a tender regard for the constitution, and a concern for the liberties and privileges of her people. But as it is scarcely possible for the prepossessions of party to throw a veil much longer over facts so palpable and undeniable, there is danger lest the public should run into the opposite extreme, and should entertain an aversion to the memory of a princess who exercised the royal authority in a manner so contrary to all the ideas which we at present entertain of a legal constitution. But Elizabeth only supported the prerogatives transmitted to her by her predecessors: she believed that her subjects were entitled to no more liberty than their ancestors had enjoyed: she found that they entirely acquiesced in her arbitrary administration: and it was not natural for her to find fault with a form of government by which she herself was invested with such unlimited authority. In the particular exertions of power, the question ought never to be forgotten, What is best? But in the general distribution of power among the several members of a constitution, there can seldom be admitted any other question than, What is established? Few examples occur of princes who have willingly resigned their power; none of those who have, without struggle and reluctance, allowed it to be extorted from them. If any other rule than established practice be followed, factions and dissensions must multiply without end: and though many constitutions, and none more than the British, have been improved even by violent innovations, the praise bestowed on those patriots to whom the nation has been indebted for its privileges, ought to

be given with some reserve, and surely without the least rancor against those who adhered to the ancient constitution.[*]

In order to understand the ancient constitution of England, there is not a period which deserves more to be studied than the reign of Elizabeth. The prerogatives of this princess were scarcely ever disputed, and she therefore employed them without scruple: her imperious temper—a circumstance in which she went far beyond her successors—rendered her exertions of power violent and frequent, and discovered the full extent of her authority: the great popularity which she enjoyed, proves that she did not infringe any established liberties of the people: there remains evidence sufficient to ascertain the most noted acts of her administration: and though that evidence must be drawn from a source wide of the ordinary historians, it becomes only the more authentic on that account, and serves as a stronger proof, that her particular exertions of power were conceived to be nothing but the ordinary course of administration, since they were not thought remarkable enough to be recorded even by contemporary writers. If there was any difference in this particular, the people in former reigns seem rather to have been more submissive than even during the age of Elizabeth;[**] it may not here be improper to recount some of the ancient prerogatives of the crown, and lay open the sources of that great power which the English monarchs formerly enjoyed.

* By the ancient constitution, is here meant that which prevailed before the settlement of our present plan of liberty. There was a more ancient constitution, where, though the people had perhaps less liberty than under the Tudors, yet the king had also less authority: the power of the barons was a great check upon him, and exercised great tyranny over them. But there was still a more ancient constitution, viz., that before the signing of the charters, when neither the people nor the barons had any regular privileges; and the power of the government during the reign of an able prince was almost wholly in the king. The English constitution, like all others, has been in a state of continual fluctuation.

** In a memorial of the state of the realm, drawn by Secretary Cecil in 1569, there is this passage: "Then followeth the decay of obedience in civil policy, which being compared with the fearfulness and reverence of all inferior estates to their superiors in times past, will astonish any wise and considerate person, to behold the desperation of reformation," Haynes, p, 586. Again, p. 538.

One of the most ancient and most established instruments of power was the court of star chamber, which possessed an unlimited discretionary authority of fining, imprisoning, and inflicting corporal punishment; and whose jurisdiction extended to all sorts of offences, contempts, and disorders that lay not within reach of the common law. The members of this court consisted of the privy council and the judges; men who all of them enjoyed their offices during pleasure; and when the prince himself was present, he was the sole judge, and all the others could only interpose with their advice. There needed but this one court in any government to put an end to all regular, legal, and exact plans of liberty; for who durst set himself in opposition to the crown and ministry, or aspire to the character of being a patron of

freedom, while exposed to so arbitrary a jurisdiction? I much question whether any of the absolute monarchies in Europe contain, at present, so illegal and despotic a tribunal.

The court of high commission was another jurisdiction still more terrible; both because the crime of heresy, of which it took cognizance, was more undefinable than any civil offence, and because its methods of inquisition, and of administering oaths, were more contrary to all the most simple ideas of justice and equity. The fines and imprisonments imposed by this court were frequent: the deprivations and suspensions of the clergy for nonconformity were also numerous, and comprehended at one time the third of all the ecclesiastics of England.[*] The queen, in a letter to the archbishop of Canterbury, said expressly, that she was resolved "that no man should be suffered to decline, either on the left or on the right hand, from the drawn line limited by authority, and by her laws and injunctions."[**]

But martial law went beyond even these two courts in a prompt, and arbitrary, and violent method of decision. Whenever there was any insurrection or public disorder, the crown employed martial law; and it was, during that time, exercised not only over the soldiers, but over the whole people; any one might be punished as a rebel, or an aider and abettor of rebellion, whom the provost martial, or lieutenant of a county, or their deputies, pleased to suspect. Lord Bacon says, that the trial at common law granted to the earl of Essex and his fellow-conspirators, was a favor; for that the case would have borne and required the severity of martial law.[***]

* Neal, vol. i. p. 479.

** Vol. iv. p. 510.

**** Murden, p. 183.

We have seen instances of its being employed by Queen Mary in defence of orthodoxy. There remains a letter of Queen Elizabeth's to the earl of Sussex, after the suppression of the northern rebellion, in which she sharply reproves him, because she had not heard of his having executed any criminals by martial law;[*] though it is probable that near eight hundred persons suffered, one way or other, on account of that slight insurrection. But the kings of England did not always limit the exercise of this law to times of civil war and disorder. In 1552, when there was no rebellion or insurrection, King Edward granted a commission of martial law; and empowered the commissioners to execute it, "as should be thought by their discretions most necessary."[**] Queen Elizabeth too was not sparing in the use of this law. In 1573, one Peter Burchet, a Puritan, being persuaded that it was meritorious to kill such as opposed the truth of the gospel, ran into the streets, and wounded Hawkins, the famous sea captain, whom he took for Hatton, the queen's favorite. The queen was so incensed, that she ordered him to be punished instantly by martial law; but upon the remonstrance of some prudent counsellors, who told her that this law was usually confined to turbulent times, she recalled her order, and delivered over Burchet to the common law.[***] But she continued not always so reserved in executing this authority. There remains a proclamation of hers, in which she orders martial law to be used against all such as import bulls, or even forbidden books and pamphlets from abroad;[****] and prohibits the questioning of the lieutenants or their deputies for their arbitrary punishment of such offenders, "any law or statute to the contrary in anywise notwithstanding."

* MS. of Lord Royston's, from the paper office.

** Strype's Eccles. Memoirs, vol. ii. p. 373, 458, 459.

*** Camden, p. 446. Strype, vol. ii. p. 288.

**** Strype, vol. iii. p. 570

We have another act of hers still more extraordinary. The streets of London were much infested with idle vagabonds and riotous persons: the lord mayor had endeavored to repress this disorder: the star chamber had exerted its authority, and inflicted punishment on these rioters: but the queen, finding those remedies ineffectual, revived martial law, and gave Sir Thomas Wilford a commission of provost-martial: "Granting him authority, and commanding him, upon signification given by the justices of peace in London or the neighboring counties, of such offenders worthy to be speedily executed by martial law, to attach and take the same persons, and in the presence of the said justices, according to justice of martial law, to execute them upon the gallows or gibbet openly, or near to such place where the said rebellious and incorrigible offenders shall be found to have committed the said great offences."[*] I suppose it would be difficult to produce an instance of such an act of authority in any place nearer than Muscovy. The patent of high constable, granted to Earl Rivers by Edward IV., proves the nature of the office. The powers are unlimited, perpetual, and remain in force during peace as well as during war and rebellion. The parliament in Edward VI.'s reign acknowledged the jurisdiction of the constable and martial's court to be part of the law of the land.[**]

The star chamber, and high commission, and court martial, though arbitrary jurisdictions, had still some pretence of a trial, at least of a sentence; but there was a grievous punishment very generally inflicted in that age, without any other authority than the warrant of a secretary of state or of the privy council;[***] and that was, imprisonment in any jail, and during any time, that the ministers should think proper. In suspicious times, all the jails were full of prisoners of state; and these unhappy victims of public jealousy were sometimes thrown into dungeons, and loaded with irons, and treated in the most cruel manner, without their being able to obtain any remedy from law.

This practice was an indirect way of employing torture: but the rack itself, though not admitted in the ordinary execution of justice,[****] was frequently used, upon any suspicion, by authority of a warrant from a secretary or the privy council. Even the council in the marches of Wales was empowered, by their very commission, to make use of torture whenever they thought proper.[v]

* Rymer, vol. xvi. p. 279.

** 7 Edw. VI. cap. 20. See Sir John Davis's Question concerning Impositions, p. 9.

*** In 1588, the lord mayor committed several citizens to prison, because they refused to pay the loan demanded of them. Murden, p. 632.

**** Harrison, chap. 11.

v Haynes, p 196. See further, La Boderie, vol. i. p. 211.

There cannot be a stronger proof how lightly the rack was employed than the following story, told by Lord Bacon. We shall give it in his own words: "The queen was mightily incensed against Haywarde, on account of a book he dedicated to Lord Essex, being a story of the first year of

Henry IV., thinking it a seditious prelude to put into the people's heads boldness and faction:[*] she said, she had an opinion that there was treason in it, and asked me if I could not find any places in it that might be drawn within the case of treason? Whereto I answered, For treason, sure I found none; but for felony, very many: and when her majesty hastily asked me, Wherein? I told her, the author had committed very apparent theft; for he had taken most of the sentences of Cornelius Tacitus, and translated them into English, and put them into his text. And another time, when the queen could not be persuaded that it was his writing whose name was to it, but that it had some more mischievous author, and said with great indignation, that she would have him racked to produce his author; I replied, Nay, madam, he is a doctor; never rack his person, but rack his style: let him have pen, ink, and paper, and help of books, and be enjoined to continue the story where it breaketh off, and I will undertake, by collating the styles, to judge whether he were the author or no."[**] Thus, had it not been for Bacon's humanity, or rather his wit, this author, a man of letters, had been put to the rack for a most innocent performance. His real offence was his dedicating a book to that munificent patron of the learned, the earl of Essex, at a time when this nobleman lay under her majesty's displeasure.

* To our apprehension, Haywarde's book seems rather to have a contrary tendency. For he has there preserved the famous speech of the bishop of Carlisle, which contains, in the most express terms, the doctrine of passive obedience. But Queen Elizabeth was very difficult to please on this head.

** Cabala, p. 81. anciently common of fining, imprisoning, or otherwise punishing the jurors, merely at the discretion of the court, for finding a verdict contrary to the direction of these dependent judges, it is obvious that juries were then no manner of security to the liberty of the subject.

The queen's menace of trying and punishing Haywarde for treason could easily have been executed, let his book have been ever so innocent. While so many terrors hung over the people, no jury durst have acquitted a man when the court was resolved to have him condemned. The practice, also, of not confronting witnesses with the prisoner, gave the crown lawyers all imaginable advantage against him. And indeed there scarcely occurs an instance during all these reigns, that the sovereign or the ministers were ever disappointed in the issue of a prosecution. Timid juries, and judges who held their offices during pleasure, never failed to second all the views of the crown.

The power of pressing, both for sea and land service, and obliging any person to accept of any office, however mean or unfit for him, was another prerogative totally incompatible with freedom. Osborne gives the following account of Elizabeth's method of employing this prerogative: "In case she found any likely to interrupt her occasions," says he, "she did seasonably prevent him by a chargeable employment abroad, or putting him upon some service at home, which she knew least grateful to the people; contrary to a false maxim, since practised with far worse success, by such princes as thought it better husbandry to buy off enemies than reward friends."[*] The practice with which Osborne reproaches the two immediate successors of Elizabeth, proceeded partly from the extreme difficulty of their situation, partly from the greater lenity of their disposition. The power of pressing, as may naturally be imagined, was often abused, in other respects, by men of inferior rank; and officers often exacted money for freeing persons from the service.[**]

* Page 392.

* Murden, p. 181.

The government of England during that age, however different in other particulars, bore in this respect some resemblance to that of Turkey at present: the sovereign possessed every power, except that of imposing taxes; and in both countries, this limitation, unsupported by other privileges, appears rather prejudicial to the people. In Turkey, it obliges the sultan to permit the extortion of the pashas and governors of provinces, from whom he afterwards squeezes presents or takes forfeitures: in England, it engaged the queen to erect monopolies, and grant patents for exclusive trade; an invention so pernicious, that had she gone on during a tract of years at her own rate, England, the seat of riches, and arts, and commerce, would have contained at present as little industry as Morocco or the coast of Barbary.

We may further observe that this valuable privilege, valuable only because it proved afterwards the means by which the parliament extorted all their other privileges, was very much encroached on, in an indirect manner, during the reign of Elizabeth, as well as of her predecessors. She often exacted loans from her people; an arbitrary and unequal kind of imposition, and which individuals felt severely; for though the money had been regularly repaid, which was seldom the case,[*] it lay in the prince's hands without interest, which was a sensible loss to the persons from whom the money was borrowed.[**]

There remains a proposal, made by Lord Burleigh, for levying a general loan on the people, equivalent to a subsidy;[***] a scheme which would have laid the burden more equally, but which was, in different words, a taxation imposed without consent of parliament. It is remarkable, that the scheme thus proposed, without any visible necessity, by that wise minister, is the very same which Henry VIII. executed, and which Charles I., enraged by ill usage from his parliament, and reduced to the greatest difficulties, put afterwards in practice, to the great discontent of the nation.

The demand of benevolence was another invention of that age for taxing the people. This practice was so little conceived to be irregular, that the commons in 1585 offered the queen a benevolence; which she very generously refused, as having no occasion at that time for money.[****] Queen Mary, also, by an order of council, increased the customs in some branches; and her sister imitated the example.[v] There was a species of ship money imposed at the time of the Spanish invasion: the several ports were required to equip a certain number of vessels at their own charge: and such was the alacrity of the people for the public defence, that some of the ports, particularly London, sent double the number demanded of them.[v*]

* Bacon, vol. iv. p. 362.

** In the second of Richard II., it was enacted that in loans which the king shall require of his subjects, upon letters of privy seal, such as have "reasonable" excuse of not lending, may there be received without further summons, travel, or grief. See Cotton's Abridg. p. 170. By this law, the king's prerogative of exacting loans was ratified; and what ought to be deemed a "reasonable" excuse was still left in his own breast to determine.

*** Haynes, p. 518, 519.

**** D'Ewes, p. 494.

v Bacon, vol. iv p. 362.

v* Monson, p 267.

When any levies were made for Ireland, France, or the Low Countries, the queen obliged the counties to levy the soldiers, to arm and clothe them, and carry them to the seaports at their own charge. New-year's gifts were at that time expected from the nobility, and from the more considerable gentry.[*]

Purveyance and preëmption were also methods of taxation, unequal, arbitrary, and oppressive. The whole kingdom sensibly felt the burden of those impositions; and it was regarded as a great privilege conferred on Oxford and Cambridge, to prohibit the purveyors from taking any commodities within five miles of these universities. The queen victualled her navy by means of this prerogative, during the first years of he reign.[**]

Wardship was the most regular and legal of all these impositions by prerogative; yet was it a great badge of slavery and oppressive to all the considerable families. When an estate devolved to a female, the sovereign obliged her to marry anyone he pleased: whether the heir were male or female, the crown enjoyed the whole profit of the estate during the minority. The giving of a rich wardship was a usual method of rewarding a courtier or favorite.

The inventions were endless which arbitrary power might employ for the extorting of money, while the people imagined that their property was secured by the crown's being debarred from imposing taxes. Strype has preserved a speech of Lord Burleigh to the queen and council, in which are contained some particulars not a little extraordinary.[***]

* Strype's Memoirs, vol. i. p. 137.

** Camden, p. 388.

*** Annals, vol. iv. p. 234 et seq.

Burleigh proposes, that she should erect a court for the correction of all abuses, and should confer on the commissioners a general inquisitorial power over the whole kingdom. He sets before her the example of her wise grandfather, Henry VII., who by such methods extremely augmented his revenue; and he recommends that this new court should proceed, "as well by the direction and ordinary course of the laws, as by virtue of her majesty's supreme regiment and absolute power, from whence law proceeded." In a word, he expects from this institution greater accession to the royal treasure than Henry VIII. derived from the abolition of the abbeys, and all the forfeitures of ecclesiastical revenues. This project of Lord Burleigh's needs not, I think, any comment. A form of government must be very arbitrary indeed, where a wise and good minister could make such a proposal to the sovereign.

Embargoes on merchandise was another engine of royal power, by which the English princes were able to extort money from the people. We have seen instances in the reign of Mary. Elizabeth, before her coronation, issued an order to the custom-house, prohibiting the sale of all crimson silks which should be imported, till the court were first supplied.[*] She expected, no doubt, a good pennyworth from the merchants while they lay under this restraint.

The parliament pretended to the right of enacting laws, as well as of granting subsidies; but this privilege was, during that age, still more insignificant than the other. Queen Elizabeth expressly prohibited them from meddling either with state matters or ecclesiastical causes; and she openly sent the members to prison who dared to transgress her imperial edict in these

particulars. There passed few sessions of parliament, during her reign where there occur not instances of this arbitrary conduct.

But the legislative power of the parliament was a mere fallacy, while the sovereign was universally acknowledged to possess a dispensing power, by which all the laws could be invalidated, and rendered of no effect. The exercise of this power was also an indirect method practised for erecting monopolies. Where the statutes laid any branch of manufacture under restrictions, the sovereign, by exempting one person from the laws, gave him in effect the monopoly of that commodity.[**] There was no grievance at that time more universally complained of, than the frequent dispensing with the penal laws.[***]

But in reality the crown possessed the full legislative power, by means of proclamations, which might affect any matter, even of the greatest importance, and which the star chamber took care to see more rigorously executed than the laws themselves. The motives for these proclamations were sometimes frivolous, and even ridiculous. Queen Elizabeth had taken offence at the smell of woad; and she issued an edict prohibiting any one from cultivating that useful plant.[****]

* Strype, vol. i. p. 27.

** Rymer, tom. xv. p. 756. D'Ewes, p. 645.

*** Murden, p. 325.

**** Townsend's Journals, p. 250. Stow's Annals.

She was also pleased to take offence at the long swords and high ruffs then in fashion: she sent about her officers to break every man's sword, and clip every man's ruff which was beyond a certain dimension.[*] This practice resembles the method employed by the great Czar Peter to make his subjects change their garb.

The queen's prohibition of the "prophesyings," or the assemblies instituted for fanatical prayers and conferences, was founded on a better reason, but shows still the unlimited extent of her prerogative. Any number of persons could not meet together, in order to read the Scriptures and confer about religion, though in ever so orthodox a manner, without her permission.

There were many other branches of prerogative incompatible with an exact or regular enjoyment of liberty. None of the nobility could marry without permission from the sovereign. The queen detained the earl of Southampton long in prison, because he privately married the earl of Essex's cousin.[**] No man could travel without the consent of the prince. Sir William Evers underwent a severe persecution because he had presumed to pay a private visit to the king of Scots.[***] The sovereign even assumed a supreme and uncontrolled authority over all foreign trade; and neither allowed any person to enter or depart the kingdom, nor any commodity to be imported or exported, without his consent.[****]

The parliament, in the thirteenth of the queen, praised her for not imitating the practice usual among her predecessors, of stopping the course of justice by particular warrants.[v] There could not possibly be a greater abuse, nor a stronger mark of arbitrary power; and the queen, in refraining from it, was very laudable. But she was by no means constant in this reserve. There remain in the public records some warrants of hers for exempting particular persons from all law-suits and prosecutions;[v*] If and these warrants, she says, she grants from her royal prerogative, which she will not allow to be disputed.

* Townsend's Journals, p. 250. Stow's Annals. Strype, vol. i p 603.

** Birch's Memoirs, vol. ii. p. 422.

*** Birch's Memoirs, vol. ii. p. 511.

**** Sir John Davis's Question concerning Impositions, passim

v D'Ewes, p. 141.

v* Rymer, tom, xv. p 652 708, 777.

It was very usual in Queen Elizabeth's reign, and probably in all the preceding reigns, for noblemen or privy counsellors to commit to prison any one who had happened to displease them by suing for his just debts; and the unhappy person, though he gained his cause in the courts of justice, was commonly obliged to relinquish his property in order to obtain his liberty. Some, likewise, who had been delivered from prison by the judges, were again committed to custody in secret places, without any possibility of obtaining relief; and even the officers and serjeants of the courts of law were punished for executing the writs in favor of these persons. Nay, it was usual to send for people by pursuivants, a kind of harpies who then attended the orders of the council and high commission; and they were brought up to London, and constrained by imprisonment, not only to withdraw their lawful suits, but also to pay the pursuivants great sums of money. The judges, in the thirty-fourth of the queen, complain to her majesty of the frequency of this practice. It is probable that so egregious a tyranny was carried no farther down than the reign of Elizabeth; since the parliament who presented the petition of right found no later instances of it.[*] And even these very judges of Elizabeth, who thus protect the people against the tyranny of the great, expressly allow, that a person committed by special command of the queen is not bailable.

It is easy to imagine that, in such a government, no justice could by course of law be obtained of the sovereign, unless he were willing to allow it. In the naval expedition undertaken by Raleigh and Frobisher against the Spaniards, in the year 1592, a very rich carrack was taken, worth two hundred thousand pounds. The queen's share in the adventure was only a tenth; but as the prize was so great, and exceeded so much the expectation of all the adventurers, she was determined not to rest contented with her share. Raleigh humbly and earnestly begged her to accept of a hundred thousand pounds in lieu of all demands, or rather extortions; and says that the present which the proprietors were willing to make her of eighty thousand pounds, was the greatest that ever prince received from a subject.[**]

* Rushworth, vol. i. p. 511. Franklyn's Annals, p. 250, 251.

** Strype, vol. iv. p. 128, 129.

But it is no wonder the queen, in her administration, should pay so little regard to liberty, while the parliament itself, in enacting laws, was entirely negligent of it. The persecuting statutes which they passed against Papists and Puritans are extremely contrary to the genius of freedom; and by exposing such multitudes to the tyranny of priests and bigots, accustomed the people to the most disgraceful subjection. Their conferring an unlimited supremacy on the queen, or, what is worse, acknowledging her inherent right to it, was another proof of their voluntary servitude.

The law of the twenty-third of her reign, making seditious words against the queen capital, is also a very tyrannical statute; and a use no less tyrannical was sometimes made of it. The case of Udal, a Puritanical clergyman, seems singular even in those arbitrary times. This man had published a book, called a Demonstration of Discipline, in which he inveighed against the government of bishops; and though he had carefully endeavored to conceal his name, he was thrown into prison upon suspicion, and brought to a trial for this offence. It was pretended, that the bishops were part of the queen's political body; and to speak against them, was really to attack her, and was therefore felony by the statute. This was not the only iniquity to which Udal was exposed. The judges would not allow the jury to determine any thing but the fact, whether Udal had written the book or not, without examining his intention, or the import of the words. In order to prove the fact, the crown lawyers did not produce a single witness to the court: they only read the testimony of two persons absent, one of whom said, that Udal had told him he was the author; another, that a friend of Udal's had said so. They would not allow Udal to produce any exculpatory evidence; which, they said, was never to be permitted against the crown.[*] And they tendered him an oath, by which he was required to depose that he was not the author of the book; and his refusal to make that deposition was employed as the strongest proof of his guilt. It is almost needless to add, that notwithstanding these multiplied iniquities, a verdict of death was given by the jury against Udal; for, as the queen was extremely bent upon his prosecution, it was impossible he could escape.[**] He died in prison, before execution of the sentence.

* It was never fully established that the prisoner could legally produce evidence against the crown, till after the revolution. See Blackstone's Commentaries, vol. iv. p. 352.

** State Trials, vol. i. p. 144. Strype, voL iv. p. 21. Strype's Life of Whitgift, p. 343.

The case of Penry was, if possible, still hardier. This man was a zealous Puritan, or rather a Brownist, a small sect, which afterwards increased, and received the name of "Independents." He had written against the hierarchy several tracts, such as Martin Marprelate, Theses Martinianæ, and other compositions, full of low scurrility and petulant satire. After concealing himself for some years, he was seized; and as the statute against seditious words required that the criminal should be tried within a year after committing the offence, he could not be indicted for his printed books. He was therefore tried for some papers found in his pocket, as if he had thereby scattered sedition.[*] It was also imputed to him, by the lord keeper, Puckering, that in some of these papers, "he had only acknowledged her majesty's royal power to establish laws ecclesiastical and civil; but had avoided the usual terms of making, enacting, decreeing, and ordaining laws; which imply," says the lord keeper, "a most absolute authority."[**] Penry for these offences was condemned and executed.

Thus we have seen, that the "most absolute" authority of the sovereign, to make use of the lord keeper's expression was established on above twenty branches of prerogative, which are now abolished, and which were, every one of them totally incompatible with the liberty of the subject. But what insured more effectually the slavery of the people, than even these branches of prerogative, was, the established principles of the times, which attributed to the prince such an unlimited and indefeasible power, as was supposed to be the origin of all law, and could be circumscribed by none. The homilies published for the use of the clergy, and which they were enjoined to read every Sunday in all the churches, inculcate every where a blind and unlimited passive obedience to the prince, which on no account, and under no pretence, is it ever lawful for subjects in the smallest article to depart from or infringe. Much noise has been made

because some court chaplains, during the succeeding reigns, were permitted to preach such doctrines; but there is a great difference between these sermons, and discourses published by authority, avowed by the prince and council, and promulgated to the whole nation.[***]

* Strype's Life of Whitgift, book iv. chap. 11. Neal, vol. i. p. 564.

** Strype's Annals, vol. iv. p. 177.

*** Gifford, a clergyman, was suspended in the year 1584, for preaching up a limited obedience to the civil magistrate, Neal, vol. i. p. 435.

So thoroughly were these principles imbibed by the people, during the reigns of Elizabeth and her predecessors, that opposition to them was regarded as the most flagrant sedition; and was not even rewarded by that public praise and approbation, which can alone support men under such dangers and difficulties as attend the resistance of tyrannical authority.[*] It was only during the next generation that the noble principles of liberty took root, and spreading themselves under the shelter of Puritanical absurdities, became fashionable among the people.

It is worth remarking, that the advantage usually ascribed to absolute monarchy, a greater regularity of police, and a more strict execution of the laws, did not attend the former English government, though in many respects it fell under that denomination. A demonstration of this truth is contained in a judicious paper which is preserved by Strype,[**] and which was written by an eminent justice of peace of Somersetshire, in the year 1596, near the end of the queen's reign; when the authority of that princess may be supposed to be fully corroborated by time, and her maxims of government improved by long practice.

* It is remarkable, that in all the historical plays of Shakspeare, where the manners and characters, and even the transactions of the several reigns, are so exactly copied, there is scarcely any mention of civil liberty, which some pretended historians have imagined to be the object of all the ancient quarrels, insurrections, and civil wars. In the elaborate panegyric of England, contained in the tragedy of Richard II., and the detail of its advantages, not a word of its civil constitution, as anywise different from or superior to that of other European kingdoms; an omission which cannot be supposed in any English author that wrote since the restoration, at least since the revolution.

** Annals, vol. iv. p. 290

This paper contains an account of the disorders which then prevailed in the county of Somerset. The author says, that forty persons had there been executed in a year for robberies, thefts, and other felonies; thirty-five burnt in the hand, thirty-seven whipped, one hundred and eighty-three discharged: that those who were discharged were most wicked and desperate persons, who never could come to any good, because they would not work, and none would take them into service: that notwithstanding this great number of indictments, the fifth part of the felonies committed in the county were not brought to trial; the greater number escaped censure, either from the superior cunning of the felons, the remissness of the magistrates, or

the foolish lenity of the people: that the rapines committed by the infinite number of wicked, wandering, idle people, were intolerable to the poor countrymen, and obliged them to keep a perpetual watch over their sheepfolds, their pastures, their woods, and their cornfields: that the other counties of England were in no better condition than Somersetshire; and many of them were even in a worse: that there were at least three or four hundred able-bodied vagabonds in every county, who lived by theft and rapine; and who sometimes met in troops to the number of sixty, and committed spoil on the inhabitants: that if all the felons of this kind were assembled, they would be able, if reduced to good subjection, to give the greatest enemy her majesty has a "strong battle:" and that the magistrates themselves were intimidated from executing the laws upon them; and there were instances of justices of peace who, after giving sentence against rogues, had interposed to stop the execution of their own sentence, on account of the danger which hung over them from the confederates of these felons.

In the year 1575, the queen complained in parliament of the bad execution of the laws; and threatened, that if the magistrates were not for the future more vigilant, she would intrust authority to indigent and needy persons, who would find an interest in a more exact administration of justice.[*] It appears that she was as good as her word. For in the year 1601, there were great complaints made in parliament of the rapine of justices of peace; and a member said, that this magistrate was an animal who, for half a dozen of chickens, would dispense with a dozen of penal statutes.[**] It is not easy to account for this relaxation of government, and neglect of police, during a reign of so much vigor as that of Elizabeth. The small revenue of the crown is the most likely cause that can be assigned. The queen had it not in her power to interest a great number in assisting her to execute the laws.[***] 39

* D'Ewes, p. 234.

** D'Ewes, p. 661-694.

*** See note MM, at the end of the volume.

On the whole, the English have no reason, from the example of their ancestors, to be in love with the picture of absolute monarchy; or to prefer the unlimited authority of the prince and his unbounded prerogatives, to that noble liberty, that sweet equality, and that happy security, by which they are at present distinguished above all nations in the universe. The utmost that can be said in favor of the government of that age and perhaps it may be said with truth, is, that the power of the prince, though really unlimited, was exercised after the European manner, and entered not into every part of the administration; that the instances of a high exerted prerogative were not so frequent as to render property sensibly insecure, or reduce the people to a total servitude; that the freedom from faction, the quickness of execution, and the promptitude of those measures which could be taken for offence or defence, made some compensation for the want of a legal and determinate liberty; that as the prince commanded no mercenary army, there was a tacit check on him, which maintained the government in that medium, to which the people had been accustomed; and that this situation of England, though seemingly it approached nearer, was in reality more remote from a despotic and Eastern monarchy, than the present government of that kingdom, where the people, though guarded by multiplied laws, are totally naked, defenceless, and disarmed; and besides, are not secured by any middle power, or independent powerful nobility, interposed between them and the monarch.

We shall close the present Appendix with a brief account of the revenues, the military force, the commerce, the arts, and the learning of England during this period.

Queen Elizabeth's economy was remarkable; and in some instances seemed to border on avarice. The smallest expense, if it could possibly be spared, appeared considerable in her eyes; and even the charge of an express, during the most delicate transactions, was not below her notice.[*] She was also attentive to every profit, and embraced opportunities of gain which may appear somewhat extraordinary. She kept, for instance, the see of Ely vacant nineteen years, in order to retain the revenue;[**] and it was usual with her, when she promoted a bishop, to take the opportunity of pillaging the see of some of its manors.[***]

* Birch's Negot. p. 21.

** Strype, vol. iv. p.. 351.

*** Strype, vol. iv. p. 215. There is a curious letter of the queen's written to a bishop of Ely, and preserved in the register of that see. It is in these words: "Proud prelate, I understand you are backward in complying with your agreement: but I would have you know, that I, who made you what you are, can unmake you; and if you do not forthwith fulfil your engagement, by God I will immediately unfrock you. Yours, as you demean yourself, Elizabeth." The bishop, it seems, had promised to exchange some part of the land belonging to the see for a pretended equivalent; and did so, but it was in consequence of the above letter. Annual Register. 1761, p. 15.

But that in reality there was little of no avarice in the queen's temper, appears from this circumstance, that she never amassed any treasure; and even refused subsidies from the parliament when she had no present occasion for them. Yet we must not conclude, from this circumstance, that her economy proceeded from a tender concern for her people; she loaded them with monopolies and exclusive patents, which are much more oppressive than the most heavy taxes levied in an equal and regular manner. The real source of her frugal conduct was derived from her desire of independency, and her care to preserve her dignity, which would have been endangered had she reduced herself to the necessity of having frequent recourse to parliamentary supplies. In consequence of this motive, the queen, though engaged in successful and necessary wars, thought it more prudent to make a continual dilapidation of the royal demesnes,[*] than demand the most moderate supplies from the commons. As she lived unmarried, and had no posterity, she was content to serve her present turn, though at the expense of her successors; who, by reason of this policy, joined to other circumstances, found themselves on a sudden reduced to the most extreme indigence.

The splendor of a court was during this age a great part of the public charge; and as Elizabeth was a single woman, and expensive in no kind of magnificence, except clothes, this circumstance enabled her to perform great things by her narrow revenue. She is said to have paid four millions of debt, left on the crown by her father, brother, and sister; an incredible sum for that age.[**] The states at the time of her death owed her about eight hundred thousand pounds; and, the king of France four hundred and fifty thousand.[***]

* Rymer, tom. xvi. p. 141. D'Ewes, p. 151,457,525,629. Bacon, vol. iv. p. 363.

** D'Ewes, p. 473. I think it impossible to reconcile this account of the public debts with that given by Strype,

(Eccles. Mem. vol. ii. p. 344,) that in the year 1553 the crown owed but three hundred thousand pounds. I own that this last sum appears a great deal more likely. The whole revenue of Queen Elizabeth would not in ten years have paid four millions.

*** Winwood, vol. i. p. 29, 54.

Though that prince was extremely frugal, and after the peace of Vervins was continually amassing treasure, the queen never could, by the most pressing importunities, prevail on him to make payment of those sums which she had so generously advanced him during his greatest distresses. One payment of twenty thousand crowns, and another of fifty thousand, were all she could obtain, by the strongest representations she could make of the difficulties to which the rebellion in Ireland had reduced her.[*] The queen expended on the wars with Spain, between the years 1589 and 1593, the sum of one million three hundred thousand pounds, besides the pittance of a double subsidy, amounting to two hundred and eighty thousand pounds, granted her by parliament.[**] In the year 1599, she spent six hundred thousand pounds in six months on the service of Ireland.[***] Sir Robert Cecil affirmed, that in ten years Ireland cost her three millions four hundred thousand pounds.[****] She gave the earl of Essex a present of thirty thousand pounds upon his departure for the government of that kingdom.[v] Lord Burleigh computed, that the value of the gifts conferred on that favorite amounted to three hundred thousand pounds; a sum which, though probably exaggerated, is a proof of her strong affection towards him. It was a common saying during this reign, "The queen pays bountifully, though she rewards sparingly."[v*]

It is difficult to compute exactly the queen's ordinary revenue, but it certainly fell much short of five hundred thousand pounds a year.[v**] In the year 1590, she raised the customs from fourteen thousand pounds a year to fifty thousand, and obliged Sir Thomas Smith, who had farmed them, to refund some of his former profits.[v***]

* Winwood, vol. i. p. 117—195.

** D'Ewes, p. 483.

*** Camden, p. 167.

**** Appendix to the Earl of Essex's Apology.

v Birch's Memoirs, vol. ii.

v* Nanton's Regalia, chap. 1.

v** Franklyn, in his Annals, (p. 9,) says that the profit of the kingdom, besides wards and the duchy of Lancaster, (which amounted to about one hundred and twenty thousand pounds,) was one hundred and eighty-eight thousand one hundred and ninety-seven pounds: the crown lands seem to be comprehended in this computation.

v*** Camden, p. 558. This account of Camden is difficult or impossible to be reconciled to the state of the customs in

the beginning of the subsequent reign, as they appear in the journals of the commons. See Hist. of James, chap. 46.

This improvement of the revenue was owing to the suggestions of one Caermarthen; and was opposed by Burleigh, Leicester, and Walsingham: but the queen's perseverance overcame all their opposition. The great undertakings which she executed with so narrow a revenue, and with such small supplies from her people, prove the mighty effects of wisdom and economy. She received from the parliament, during the course of her whole reign, only twenty subsidies and thirty-nine fifteenths. I pretend not to determine exactly the amount of these supplies; because the value of a subsidy was continually falling; and in the end of her reign it amounted only to eighty thousand pounds,[*] though in the beginning it had been a hundred and twenty thousand. If we suppose that the supplies granted Elizabeth during a reign of forty-five years amounted to three millions, we shall not probably be much wide of the truth.[**] This sum makes only sixty-six thousand six hundred and sixty-six pounds a year; and it is surprising, that while the queen's demands were so moderate, and her expenses so well regulated, she should ever have found any difficulty in obtaining a supply from parliament, or be reduced to make sale of the crown lands. But such was the extreme, I had almost said, absurd parsimony of the parliaments during that period.

* D'Ewes, p. 630.

* Lord Salisbury computed these supplies only at two millions eight hundred thousand pounds, Journ. 17th Feb. 1609. King James was certainly mistaken when he estimated the queen's annual supplies at one hundred and thirty-seven thousand pounds. Franklyn, p. 44. It is curious to observe that the minister, in the war begun in 1754, was in some periods allowed to lavish in two months as great a sum as was granted by parliament to Queen Elizabeth in forty-five years. The extreme frivolous object of the late war, and the great importance of hers, set this matter in still a stronger light. Money too, we may observe, was in most particulars of the same value in both periods: she paid eight pence a day to every foot soldier. But our late delusions have much exceeded any thing known in history, not even excepting those of the crusades. For I suppose there is no mathematical, still less an arithmetical demonstration, that the road to the Holy Land was not the road to paradise, as there is, that the endless increase of national debts is the direct road to national ruin. But having now completely reached that goal, it is needless at present to reflect on the past. It will be found in the present year, 1776, that all the revenues of this island north of Trent and west of Reading, are mortgaged or anticipated forever. Could the small remainder be in a worse condition were those provinces seized by Austria and Prussia? There is only this difference, that some event might happen in Europe, which would oblige these great monarchs to disgorge their acquisitions. But no imagination can figure a situation which will induce our creditors to relinquish their claims,

or the public to seize their revenues. So egregious indeed has been our folly, that we have even lost all title to compassion in the numberless calamities that are awaiting us.

They valued nothing in comparison of their money: the members had no connection with the court; and the very idea which they conceived of the trust committed to them, was, to reduce the demands of the crown, and to grant as few supplies as possible. The crown, on the other hand, conceived the parliament in no other light than as a means of supply. Queen Elizabeth made a merit to her people of seldom summoning parliaments.[*] No redress of grievances was expected from these assemblies: they were supposed to meet for no other purpose than to impose taxes.

Before the reign of Elizabeth, the English princes had usually recourse to the city of Antwerp for voluntary loans; and their credit was so low, that, besides paying the high interest of ten or twelve per cent., they were obliged to make the city of London join in the security. Sir Thomas Gresham, that great and enterprising merchant, one of the chief ornaments of this reign, engaged the company of merchant-adventurers to grant a loan to the queen; and as the money was regularly repaid, her credit by degrees established itself in the city, and she shook off this dependence on foreigners.[**]

In the year 1559, however, the queen employed Gresham to borrow for her two hundred thousand pounds at Antwerp, in order to enable her to reform the coin, which was at that time extremely debased.[***] She was so impolitic as to make, herself, an innovation in the coin; by dividing a pound of silver into sixty-two shillings, instead of sixty, the former standard. This is the last time that the coin has been tampered with in England.

* Strype, vol. iv. p. 124.

** Stowe's Survey of London, book i. p. 286.

*** MS. of Lord Royston's, from the paper office, p. 295.

Queen Elizabeth, sensible how much the defence of her kingdom depended on its naval power, was desirous to encourage commerce and navigation: but as her monopolies tended to extinguish all domestic industry, which is much more valuable than foreign trade, and is the foundation of it, the general train of her conduct was ill calculated to serve the purpose at which she aimed, much less to promote the riches of her people. The exclusive companies also were an immediate check on foreign trade. Yet, notwithstanding these discouragements, the spirit of the age was strongly bent on naval enterprises; and besides the military expeditions against the Spaniards, many attempts were made for new discoveries, and many new branches of foreign commerce were opened by the English. Sir Martin Frobisher undertook three fruitless voyages to discover the north-west passage: Davis, not discouraged by this ill success, made a new attempt, when he discovered the straits which pass by his name. In the year 1600, the queen granted the first patent to the East India Company: the stock of that company was seventy-two thousand pounds; and they fitted out four ships, under the command of James Lancaster, for this new branch of trade. The adventure was successful; and the ships returning with a rich cargo, encouraged the company to continue the commerce.

The communication with Muscovy had been opened in Queen Mary's time by the discovery of the passage to Archangel: but the commerce to that country did not begin to be carried on to a great extent till about the year 1569. The queen obtained from the czar an exclusive patent to

the English for the whole trade of Muscovy;[*] and she entered into a personal as well as national alliance with him. This czar was named John Basilides, a furious tyrant, who, continually suspecting the revolt of his subjects, stipulated to have a safe retreat and protection in England. In order the better to insure this resource, he purposed to marry an English woman; and the queen intended to have sent him Lady Anne Hastings; daughter of the earl of Huntingdon: but when the lady was informed of the barbarous manners of the country, she wisely declined purchasing an empire at the expense of her ease and safety.[**]

The English, encouraged by the privileges which they had obtained from Basilides, ventured farther into those countries than any Europeans had formerly done. They transported their goods along the River Dwina in boats made of one entire tree, which they towed and rowed up the stream as far as Walogda. Thence they carried their commodities seven days' journey by land to Yeraslau, and then down the Volga to Astracan. At Astracan they built ships, crossed the Caspian Sea, and distributed their manufactures into Persia. But this bold attempt met with such discouragements, that it was never renewed.[***]

* Camden, p. 408.

** Camden, p. 493.

*** Camden, p. 418.

After the death of John Basilides, his son Theodore revoked the patent which the English enjoyed for a monopoly of the Russian trade: when the queen remonstrated against this innovation, he told her ministers, that princes must carry an indifferent hand, as well between their subjects as between foreigners; and not convert trade, which, by the laws of nations, ought to be common to all, into a monopoly for the private gain of a few.[*] So much juster notions of commerce were entertained by this barbarian than appear in the conduct of the renowned Queen Elizabeth! Theodore, however, continued some privileges to the English, on account of their being the discoverers of the communication between Europe and his country.

The trade to Turkey commenced about the year 1583; and that commerce was immediately confined to a company by Queen Elizabeth. Before that time, the grand seignior had always conceived England to be a dependent province of France;[**] but having heard of the queen's power and reputation, he gave a good reception to the English, and even granted them larger privileges than he had given to the French.

* Camden, p. 493.

** Birch's Memoirs, vol. i. p. 36

The merchants of the Hanse Towns complained loudly, in the beginning of Elizabeth's reign, of the treatment which they had received in the reigns of Edward and Mary. She prudently replied, that as she would not innovate any thing, she would still protect them in the immunities and privileges of which she found them possessed. This answer not contenting them, their commerce was soon after suspended for a time, to the great advantage of the English merchants, who tried what they could themselves effect for promoting their commerce. They took the whole trade into their own hands; and their returns proving successful, they divided themselves into staplers and merchant adventurers; the former residing constantly at one place, the latter trying their fortunes in other towns and states abroad with cloth and other manufactures. This success so enraged the Hanse Towns, that they tried all the methods which a discontented people could devise, to draw upon the English merchants the ill opinion of other

nations and states. They prevailed so far as to obtain an imperial edict, by which the English were prohibited all commerce in the empire: the queen, by way of retaliation, retained sixty of their ships, which had been seized in the River Tagus with contraband goods of the Spaniards. These ships the queen intended to have restored, as desiring to have compromised all differences with those trading cities; but when she was informed, that a general assembly was held at Lubec, in order to concert measures for distressing the English trade, she caused the ships and cargoes to be confiscated: only two of them were released to carry home the news, and to inform these states, that she had the greatest contempt imaginable for all their proceedings.[*]

Henry VIII., in order to fit out a navy, was obliged to hire ships from Hamburgh, Lubec, Dantzic, Genoa, and Venice, but Elizabeth, very early in her reign, put affairs upon a better footing; both by building some ships of her own, and by encouraging the merchants to build large trading vessels which, on occasion, were converted into ships of war.[**] In the year 1582, the seamen in England were found to be fourteen thousand two hundred and ninety-five men;[***] the number of vessels twelve hundred and thirty-two; of which there were only two hundred and seventeen above eighty tons. Monson pretends, that though navigation decayed in the first years of James I., by the practice of the merchants, who carried on their trade in foreign bottoms,[****] yet, before the year 1640, this number of seamen was tripled in England.[v]

The navy which the queen left at her decease appears considerable, when we reflect only on the number of vessels, which were forty-two: but when we consider that none of these ships carried above forty guns; that four only came up to that number; that there were but two ships of a thousand tons; and twenty-three below five hundred, some of fifty, and some even of twenty tons; and that the whole number of guns belonging to the fleet was seven hundred and seventy four;[v*] we must entertain a contemptible idea of the English navy, compared to the force which it has now attained.[*] In the year 1588, there were not above five vessels fitted out by the noblemen and seaports, which exceeded two hundred tons.[v**] 40

* Lives of the Admirals, vol. i. p. 470.

** Camden, p. 388.

*** Monson, p. 256.

**** Monson, p. 300.

v Monson, p. 210, 256.

v* Monson, p. 196. The English navy at present carries about fourteen thousand guns.

v** See note NN, at the end of the volume. Monson, p. 300. Spaniards; and the queen equipped a fleet and levied an army in a fortnight to oppose them. Nothing gave foreigners a higher idea of the power of England than this sudden armament.

In the year 1575, all the militia in the kingdom were computed at a hundred and eighty-two thousand nine hundred and twenty-nine.[*] A distribution was made, in the year 1595, of a hundred and forty thousand men, besides those which Wales could supply.[**] These armies were formidable by their numbers; but their discipline and experience were not proportionate.

Small bodies from Dunkirk and Newport frequently ran over and plundered the east coast: so unfit was the militia, as it was then constituted, for the defence of the kingdom. The lord lieutenants were first appointed to the counties in this reign.

Mr. Murden[***] has published, from the Salisbury collections, a paper which contains the military force of the nation at the time of the Spanish armada, and which is somewhat different from the account given by our ordinary historians. It makes all the able-bodied men of the kingdom amount to a hundred and eleven thousand five hundred and thirteen; those armed, to eighty thousand eight hundred and seventy-five; of whom forty-four thousand seven hundred and twenty-seven were trained. It must be supposed that these able-bodied men consisted of such only as were registered, otherwise the small number is not to be accounted for. Yet Sir Edward Coke[****] said, in the house of commons, that he was employed about the same time, together with Popham, chief justice, to take a survey of all the people of England, and that they found them to be nine hundred thousand of all sorts. This number, by the ordinary rules of computation, supposes that there were above two hundred thousand men able to bear arms. Yet even this number is surprisingly small. Can we suppose that the kingdom is six or seven times more populous at present? and that Murden's was the real number of men, excluding Catholics, and children, and infirm persons?

* Lives of the Admirals, vol. i. p. 432.

** Strype, vol. iv. p. 221

*** Page 608.

**** Journ. 25 April 1621.

Harrison says, that in the musters taken in the years 1574 and 1575, the men fit for service amounted to one million one hundred and seventy-two thousand six hundred and seventy-four; yet was it believed that a full third was omitted. Such uncertainty and contradiction are there in all these accounts.

Notwithstanding the greatness of this number, the same author complains much of the decay of populousness; a vulgar complaint in all places and all ages. Guicciardini makes the inhabitants of England in this reign amount to two millions.

Whatever opinion we may form of the comparative populousness of England in different periods, it must be allowed that, abstracting from the national debt, there is a prodigious increase of power in that, more perhaps than in any other European state, since the beginning of the last century. It would be no paradox to affirm, that Ireland alone could, at present, exert a greater force than all the three kingdoms were capable of at the death of Queen Elizabeth. And we might go further, and assert, that one good county in England is able to make, at least to support, a greater effort than the whole kingdom was capable of in the reign of Henry V.; when the maintenance of a garrison in a small town like Calais, formed more than a third of the ordinary national expense. Such are the effects of liberty, industry, and good government!

The state of the English manufactures was at this time very low; and foreign wares of almost all kinds had the preference.[*] About the year 1590, there were in London four persons only rated in the subsidy books so high as four hundred pounds.[**] This computation is not indeed to be deemed an exact estimate of their wealth. In 1567, there were found, on inquiry, to be four thousand eight hundred and fifty-one strangers of all nations in London; of whom three thousand eight hundred and thirty-eight were Flemings, and only fifty-eight Scots.[***] The persecutions in France and the Low Countries drove afterwards a greater number of foreigners into England; and the commerce, as well as manufactures of that kingdom, was very much

improved by them.[****] It was then that Sir Thomas Gresham built, at his own charge, the magnificent fabric of the Exchange for the reception of the merchants: the queen visited it, and gave it the appellation of the Royal Exchange.

* D'Ewes, p. 505.

** D'Ewes, p. 497.

*** Haynes, p. 461, 462.

**** Stowe, p. 668.

By a lucky accident in language, which has a great effect on men's ideas, the invidious word usury which formerly meant the taking of any interest for money, came now to express only the taking of exorbitant and illegal interest. An act passed in 1571 violently condemns all usury; but permits ten per cent, interest to be paid. Henry IV. of France reduced Interest to six and a half per cent.; an indication of the great advance of France above England in commerce.

Dr. Howell says,[*] that Queen Elizabeth, in the third of her reign, was presented with a pair of black silk knit stockings by her silk-woman, and never wore cloth hose any more. The author of the Present State of England, says, that about 1577, pocket watches were first brought into England from Germany. They are thought to have been invented at Nurem berg. About 1580, the use of coaches was introduced by the earl of Arundel.[**] Before that time, the queen, on public occasions, rode behind her chamberlain.

Camden says, that in 1581, Randolph, so much employed by the queen in foreign embassies, possessed the office of postmaster-general of England. It appears, therefore, that posts were then established; though from Charles I.'s regulations in 1635, it would seem that few post-houses were erected before that time.

In a remonstrance of the Hanse Towns to the diet of the empire, in 1582, it is affirmed that England exported annually about two hundred thousand pieces of cloth.[***] This number seems to be much exaggerated.

In the fifth of this reign was enacted the first law for the relief of the poor.

A judicious author of that age confirms the vulgar observation, that the kingdom was depopulating, from the increase of enclosures and decay of tillage; and he ascribes the reason very justly to the restraints put oh the exportation of corn; while full liberty was allowed to export all the produce of pasturage, such as wool, hides, leather, tallow, etc. These prohibitions of exportation were derived from the prerogative, and were very injudicious. The queen once, on the commencement of her reign, had tried a contrary practice, and with good success. From the same author we learn, that the complaints renewed in our time were then very common, concerning the high prices of every thing.[****]

* History of the World, vol. ii. p. 222.

** Anderson, vol. i. p. 421.

*** Anderson, voL i. p. 424.

**** A compendious or brief Examination of certain ordinary Complaints of divers of our Countrymen. The author says, that in twenty or thirty years before 1581, commodities had in general risen fifty per cent.; some more. "Cannot you, neighbor, remember," say she "that, indeed, to have been two

periods, in which prices rose remarkably in England;" namely, that in Queen Elizabeth's reign, when they are computed to have doubled, and that in the present age. Between the two, there seems to have been a stagnation. It would appear, that industry, during that intermediate period, increased as fast as gold and silver, and kept commodities nearly at a par with money.

There were two attempts made in this reign to settle colonies in America; one by Sir Humphrey Gilbert in Newfoundland, another by Sir Walter Raleigh in Virginia: but neither of these projects proved successful. All those noble settlements were made in the following reigns. The current specie of the kingdom, in the end of this reign, is computed at four millions.[*]

The earl of Leicester desired Sir Francis Walsingham, then ambassador in France, to provide him with a riding master in that country, to whom he promises a hundred pounds a year, besides maintaining himself and servant and a couple of horses. "I know," adds the earl, "that such a man as I want may receive higher wages in France: but let him consider, that a shilling in England goes as far as two shillings in France." [**] It is known that every thing is much changed since that time.

The nobility in this age still supported, in some degree, the ancient magnificence in their hospitality, and in the numbers of their retainers; and the queen found it prudent to retrench, by proclamation, their expenses in this last particular.[***] The expense of hospitality she somewhat encouraged, by the frequent visits she paid her nobility, and the sumptuous feasts which she received from them.

"I could, in this town, buy the best pig or goose I could lay my hands on for fourpence, which now costeth twelvepence; a good capon for threepence or fourpence; a chicken for a penny; a hen for twopence?" (p. 35.) "Yet the price of ordinary labor was then eightpence a day," (p. 31.)

* Lives of the Admirals, vol. i. p. 475.

** Digges's Complete Ambassador.

*** Strype, vol. iii. Append, p. 54.

Harrison, after enumerating the queen's palaces, adds, "But what shall I need to take upon me to repeat all, and tell what houses the queen's majesty hath? Sith all is hers; and when it pleaseth her in the summer season to recreate herself abroad, and view the estate of the country, and hear the complaints of her poor commons injured by her unjust officers or their substitutes, every nobleman's house is her palace, where she continueth during pleasure and tell her an entertainment in Kenilworth Castle, which was extraordinary for expense and magnificence." Among other particulars, we are told that three hundred and sixty-five hogsheads of beer were drunk at it.[*] The earl had fortified this castle at great expense; and it contained arms for ten thousand men.[**] The earl of Derby had a family consisting of two hundred and forty servants.[***] Stowe remarks it as a singular proof of beneficence in this nobleman, that he was contented with his rent from his tenants, and exacted not any extraordinary services from them; a proof that the great power of the sovereign (what was almost unavoidable) had very generally countenanced the nobility in tyrannizing over the

people. Burleigh, though he was frugal, and had no paternal estate, kept a family consisting of a hundred servants.[****] He had a standing table for gentlemen, and two other tables for persons of meaner condition, which were always served alike, whether he were in town or in the country. About his person he had people of great distinction; insomuch that he could reckon up twenty gentlemen retainers who had each a thousand pounds a year; and as many among his ordinary servants who were worth from a thousand pounds to three, five, ten, and twenty thousand pounds.[v] It is to be remarked, that though the revenues of the crown were at that time very small, the ministers and courtiers sometimes found means, by employing the boundless prerogative, to acquire greater fortunes than it is possible for them at present to amass, from their larger salaries, and more limited authority.

Burleigh entertained the queen twelve several times in his country house; where she remained three, four, or five weeks at a time. Each visit cost him two or three thousand pounds.[v*] The quantity of silver plate possessed by this nobleman is surprising; no less than fourteen or fifteen thousand pounds weight;[v**] which, besides the fashion, would be above forty-two thousand pounds sterling in value. Yet Burleigh left only four thousand pounds a year in land, and eleven thousand pounds in money; and as land was then commonly sold at ten years' purchase, his plate was nearly equal to all the rest of his fortune. It appears that little value was then put upon the fashion of the plate, which probably was but rude: the weight was chiefly considered.

*"She return again to some of her own, in which she remaineth so long as she pleaseth." Book ii. chap. 15. Surely one may say of such a guest, what Cicero says to Atticus, on occasion of a visit paid him by Cæsar. "Hospes tamen non is cui diceres, Amabo te, eodem ad me cum revertêre." Lib. xiii. Ep. 52. If she relieved the people from oppressions, (to whom it seems the law could give no relief,) her visits were a great oppression on the nobility.

** Biogr. Brit. vol. iii. p. 1791.

*** Strype, vol. iii. p. 394.

**** Stowe, p. 674.

v Strype, vol. iii. p. 129. Append.

v* Life of Burleigh, published by Collins.

v** Life of Burleigh published by Collins, p. 40.

But though there were preserved great remains of the ancient customs, the nobility were by degrees acquiring a taste for elegant luxury; and many edifices, in particular were built by them, neat, large, and sumptuous; to the great ornament of the kingdom, says Camden,[*] 41 but to the no less decay of the glorious hospitality of the nation. It is, however, more reasonable to think, that this new turn of expense promoted arts and industry; while the ancient hospitality was the source of vice, disorder, sedition, and idleness.[**]

Among the other species of luxury, that of apparel began much to increase during this age; and the queen thought proper to restrain it by proclamation.[***] Her example was very little conformable to her edicts. As no woman was ever more conceited of her beauty, or more

desirous of making impression on the hearts of beholders, no one ever went to a greater extravagance in apparel, or studied more the variety and richness of her dresses. She appeared almost every day in a different habit; and tried all the several modes by which she hoped to render herself agreeable. She was also so fond of her clothes, that she never could part with any of them; and at her death she had in her wardrobe all the different habits, to the number of three thousand, which she had ever worn in her lifetime.[****] 42

* See note OO, at the end of the volume.

** This appears from Burleigh's will: he specifies only the number of ounces to be given to each legatee, and appoints a goldsmith to see it weighed out to them, without making any distinction of the pieces.

**** See note PP, at the end of the volume.

The retrenchment of the ancient hospitality, and the diminution of retainers, were favorable to the prerogative of the sovereign; and, by disabling the great noblemen from resistance, promoted the execution of the laws, and extended the authority of the courts of justice. There were many peculiar causes in the situation and character of Henry VII. which augmented the authority of the crown: most of these causes concurred in succeeding princes; together with the factions in religion, and the acquisition of the supremacy, a most important article of prerogative: but the manners of the age were a general cause, which operated during this whole period, and which continually tended to diminish the riches, and still more the influence, of the aristocracy, anciently so formidable to the crown. The habits of luxury dissipated the immense fortunes of the ancient barons: and as the new methods of expense gave subsistence to mechanics and merchants, who lived in an independent manner on the fruits of their own industry, a nobleman, instead of that unlimited ascendant which he was wont to assume over those who were maintained at his board, or subsisted by salaries conferred on them, retained only that moderate influence which customers have over tradesmen, and which can never be dangerous to civil government. The landed proprietors also, having a greater demand for money than for men, endeavored to turn their lands to the best account with regard to profit; and either enclosing their fields, or joining many small farms into a few large ones, dismissed those useless hands which formerly were always at their call in every attempt to subvert the government, or oppose a neighboring baron. By all these means the cities increased; the middle rank of men began to be rich and powerful; the prince, who in effect was the same with the law, was implicitly obeyed: and though the further progress of the same causes begat a new plan of liberty, founded on the privileges of the commons, yet in the interval between the fall of the nobles and the rise of this order, the sovereign took advantage of the present situation, and assumed an authority almost absolute.

Whatever may be commonly imagined, from the authority of Lord Bacon, and from that of Harrington, and later authors the laws of Henry VII. contributed very little towards the great revolution which happened about this period in the English constitution. The practice of breaking entails by a fine and recovery, had been introduced in the preceding reigns; and this prince only gave indirectly a legal sanction to the practice, by reforming some abuses which attended it. But the settled authority which he acquired to the crown enabled the sovereign to encroach on the separate jurisdictions of the barons, and produced a more general and regular execution of the laws. The counties palatine underwent the same fate as the feudal powers; and, by a statute of Henry VIII.,[*] the jurisdiction of these counties was annexed to the crown, and all writs were ordained to run in the king's name. But the change of manners was the chief

cause of the secret revolution of government, and subverted the power of the barons. There appear still in this reign some remains of the ancient slavery of the boors and peasants,[*] but none afterwards.

Learning, on its revival, was held in high estimation by the English princes and nobles; and as it was not yet prostituted by being too common, even the great deemed it an object of ambition to attain a character for literature. The four successive sovereigns, Henry, Edward, Mary, and Elizabeth, may, on one account or other, be admitted into the class of authors. Queen Catharine Parr translated a book: Lady Jane Gray, considering her age, and her sex, and her station, may be regarded as a prodigy of literature. Sir Thomas Smith was raised from being professor in Cambridge, first to be ambassador to France, then secretary of state. The despatches of those times, and among others those of Burleigh himself, are frequently interlarded with quotations from the Greek and Latin classics. Even the ladies of the court valued themselves on knowledge: Lady Burleigh, Lady Bacon, and their two sisters, were mistresses of the ancient as well as modern languages; and placed more pride in their erudition than in their rank and quality.

Queen Elizabeth wrote and translated several books: and she was familiarly acquainted with the Greek as well as Latin tongue.[**] 43

* 27 Henry VIII. c. 24.

** See note QQ, at the end of the volume.

It is pretended that she made an extemporary reply in Greek to the university of Cambridge, who had addressed her in that language. It is certain that she answered in Latin without premeditation, and in a very spirited manner, to the Polish ambassador, who had been wanting in respect to her. When she had finished, she turned about to her courtiers, and said, "God's death, my lords," (for she was much addicted to swearing,) "I have been forced this day to scour up my old Latin, that hath long lain rusting."[*]

* Speed.

Elizabeth, even after she was queen, did not entirely drop the ambition of appearing as an author; and, next to her desire of admiration for beauty, this seems to have been the chief object of her vanity. She translated Boethius of the Consolation of Philosophy; in order, as she pretended, to allay her grief for Henry IV.'s change of religion. As far us we can judge from Elizabeth's compositions, we may pronounce that, notwithstanding her application, and her excellent parts, her taste in literature was but indifferent: she was much inferior to her successor in this particular, who was himself no perfect model of eloquence.

Unhappily for literature, at least for the learned of this age, the queen's vanity lay more in shining by her own learning, than in encouraging men of genius by her liberality. Spenser himself, the finest English writer of his age, was long neglected; and after the death of Sir Philip Sidney, his patron, was allowed to die almost for want. This poet contains great beauties, a sweet and harmonious versification, easy elocution, a fine imagination; yet does the perusal of his work become so tedious, that one never finishes it from the mere pleasure which it affords; it soon becomes a kind of task-reading, and it requires some effort and resolution to carry us on to the end of his long performance. This effect, of which every one is conscious, is usually ascribed to the change of manners: but manners have more changed since Homer's age; and yet that poet remains still the favorite of every reader of taste and judgment. Homer copied true natural manners, which, however rough or uncultivated, will always form an agreeable and interesting picture; but the pencil of the English poet was employed in drawing the affectations,

and conceits, and fopperies of chivalry, which appear ridiculous as soon as they lose the recommendation of the mode. The tediousness of continued allegory, and that, too, seldom striking or ingenious, has also contributed to render the Fairy Queen peculiarly tiresome; not to mention the too great frequency of its descriptions, and the languor of its stanza. Upon the whole, Spenser maintains his place upon the shelves among our English classics; but he is seldom seen on the table; and there is scarcely any one, if he dares to be ingenuous, but will confess, that, notwithstanding all the merit of the poet, he affords an entertainment with which the palate is soon satiated. Several writers of late have amused themselves in copying the style of Spenser; and no imitation has been so indifferent as not to bear a great resemblance to the original: his manner is so peculiar that it is almost impossible not to transfer some of it into the copy.

CHAPTER XLV.

JAMES I.

1603.

The crown of England was never transmitted from father to son with greater tranquillity than it passed from the family of Tudor to that of Stuart. During the whole reign of Elizabeth, the eyes of men had been employed in search of her successor; and when old age made the prospect of her death more immediate, there appeared none but the king of Scots who could advance any just claim or pretension to the throne. He was great-grandson of Margaret, elder daughter of Henry VII.; and, on the failure of the male line, his hereditary right remained unquestionable. If the religion of Mary queen of Scots, and the other prejudices contracted against her, had formed any considerable obstacle to her succession, these objections, being entirely personal, had no place with regard to her son. Men also considered, that though the title derived from blood had been frequently violated since the Norman conquest, such licenses had proceeded more from force or intrigue than from any deliberate maxims of government. The lineal heir had still in the end prevailed: and both his exclusion and restoration had been commonly attended with such convulsions as were sufficient to warn all prudent men not lightly to give way to such irregularities. If the will of Henry VIII., authorized by act of parliament, had tacitly excluded the Scottish line, the tyranny and caprices of that monarch had been so signal, that a settlement of this nature, unsupported by any just reason, had no authority with the people. Queen Elizabeth, too, with her dying breath, had recognized the undoubted title of her kinsman James; and the whole nation seemed to dispose themselves with joy and pleasure for his reception. Though born and educated amidst a foreign and hostile people, men hoped, from his character of moderation and wisdom, that he would embrace the maxims of an English monarch; and the prudent foresaw greater advantages resulting from a union with Scotland, than disadvantages from submitting to a prince of that nation. The alacrity with which the English looked towards the successor had appeared so evident to Elizabeth, that, concurring, with other causes, it affected her with the deepest melancholy; and that wise princess, whose penetration and experience had given her the greatest insight into human affairs, had not yet, sufficiently weighed the ingratitude of courtiers and levity of the people.

As victory abroad and tranquillity at home had attended this princess, she left the nation in such flourishing circumstances, that her successor possessed every advantage, except that of comparison with her illustrious name, when he mounted the throne of England. The king's journey from Edinburgh to London immediately afforded to the inquisitive some circumstances of comparison, which even the natural partiality in favor of their new sovereign could not interpret to his advantage. As he passed along, all ranks of men flocked about him from every

quarter, allured by interest or curiosity. Great were the rejoicings, and loud and hearty the acclamations, which resounded from all sides; and every one could remember how the affability and popular manners of their queen displayed themselves amidst such concourse and exultation of her subjects. But James, though sociable and familiar with his friends and courtiers, hated the bustle of a mixed multitude; and though far from disliking flattery, yet was he still fonder of tranquillity and ease. He issued, therefore, a proclamation, forbidding this resort of people, on pretence of the scarcity of provisions, and other inconveniencies, which, he said, would necessarily attend it.[*]

* Kennet, p. 662.

He was not, however, insensible to the great flow of affection which appeared in his new subjects; and being himself of an affectionate temper, he seems to have been in haste to make them some return of kindness and good offices. To this motive, probably, we are to ascribe that profusion of titles which was observed in the beginning of his reign; when, in six weeks' time after his entrance into the kingdom, he is computed to have bestowed knighthood on no less than two hundred and thirty-seven persons. If Elizabeth's frugality of honors, as well as of money, had formerly been repined at, it began now to be valued and esteemed, and every one was sensible that the king, by his lavish and premature conferring of favors, had failed of obliging the persons on whom he bestowed them. Titles of all kinds became so common, that they were scarcely marks of distinction; and being distributed, without choice or deliberation, to persons unknown to the prince, were regarded more as the proofs of facility and good nature, than of any determined friendship or esteem.

A pasquinade was affixed to St. Paul's, in which an art was promised to be taught, very necessary to assist frail memories in retaining the names of the new nobility.[*]

We may presume that the English would have thrown less blame on the king's facility in bestowing favors, had these been confined entirely to their own nation, and had not been shared out, in too unequal proportions, to his old subjects. James, who, through his whole reign, was more guided by temper and inclination than by the rules of political prudence, had brought with him great numbers of his Scottish courtiers, whose impatience and importunity were apt, in many particulars, to impose on the easy nature of their master, and extort favors of which, it is natural to imagine, his English subjects would loudly complain. The duke of Lenox, the earl of Marre, Lord Hume, Lord Kinloss, Sir George Hume, Secretary Elphinstone,[**] were immediately added to the English privy council. Sir George Hume, whom he created earl of Dunbar, was his declared favorite as long as that nobleman lived, and was one of the wisest and most virtuous, though the least powerful, of all those whom the king ever honored with that distinction. Hay, some time after, was created Viscount Doncaster, then earl of Carlisle, and got an immense fortune from the crown, all which he spent in a splendid and courtly manner. Ramsay obtained the title of earl of Holderness; and many others being raised on a sudden to the highest elevation, increased, by their insolence, that envy which naturally attended them as strangers and ancient enemies.

* Wilson, in Kennet, p. 665.

** Wilson, in Kennet, p. 662.

It must, however, be owned, in justice to James, that he left almost all the chief offices in the hands of Elizabeth's ministers, and trusted the conduct of political concerns, both foreign and domestic, to his English subjects. Among these, Secretary Cecil, created successively Lord Effindon, Viscount Cranborne, and earl of Salisbury, was always regarded as his prime minister

and chief counsellor. Though the capacity and penetration of this minister were sufficiently known, his favor with the king created surprise on the accession of that monarch. The secret correspondence into which he had entered with James, and which had sensibly contributed to the easy reception of that prince in England, laid the foundation of Cecil's credit; and while all his former associates, Sir Walter Raleigh, Lord Grey, Lord Cobham, were discountenanced on account of their animosity against Essex, as well as for other reasons, this minister was continued in employment, and treated with the greatest confidence and regard.

The capacity of James and his ministers in negotiation was immediately put to trial on the appearance of ambassadors from almost all the princes and states of Europe, in order to congratulate him on his accession, and form with him new treaties and alliances. Besides ministers from Venice, Denmark, the Palatinate; Henry Frederic of Nassau, assisted by Barnevelt, the pensionary of Holland, was ambassador from the states of the United Provinces. Aremberg was sent by Archduke Albert, and Taxis was expected in a little time from Spain. But he who most excited the attention of the public, both on account of his own merit and that of his master, was the marquis of Rosni, afterwards duke of Sully, prime minister and favorite of Henry IV. of France.

When the dominions of the house of Austria devolved on Philip II., all Europe was struck with terror, lest the power of a family, which had been raised by fortune, should now be carried to an immeasurable height by the wisdom and conduct of this monarch. But never were apprehensions found in the event to be more groundless. Slow without prudence, ambitious without enterprise, false without deceiving any body, and refined without any true judgment; such was the character of Philip, and such the character which, during his lifetime, and after his death, he impressed on the Spanish councils. Revolted or depopulated provinces, discontented or indolent inhabitants, were the spectacles which those dominions, lying in every climate of the globe, presented to Philip III., a weak prince, and to the duke of Lerma, a minister weak and odious. But though military discipline, which still remained, was what alone gave some appearance of life and vigor to that languishing body, yet so great was the terror produced by former power and ambition, that the reduction of the house of Austria was the object of men's vows throughout all the states of Christendom. It was not perceived, that the French empire, now united in domestic peace, and governed by the most heroic and most amiable prince that adorns modern story, was become, of itself, a sufficient counterpoise to the Spanish greatness. Perhaps that prince himself did not perceive it, when he proposed, by his minister, a league with James, in conjunction with Venice, the United Provinces, and the northern crowns, in order to attack the Austrian dominions on every side, and depress the exorbitant power of that ambitious family.[*] But the genius of the English monarch was not equal to such vast enterprises. The love of peace was his ruling passion; and it was his peculiar felicity, that the conjunctures of the times rendered the same object which was agreeable to him in the highest degree advantageous to his people.

The French ambassador, therefore, was obliged to depart from these extensive views, and to concert with James the means of providing for the safety of the United Provinces: nor was this object altogether without its difficulties. The king, before his accession, had entertained scruples with regard to the revolt of the Low Countries; and being commonly open and sincere,[**] he had, on many occasions, gone so far as to give to the Dutch the appellation of rebels; [***] but having conversed more fully with English ministers and courtiers, he found their attachment to that republic so strong, and their opinion of common interest so established, that he was obliged to sacrifice to politics his sense of justice; a quality which, even when erroneous, is respectable as well as rare in a monarch.

* Sully's Memoirs.

** La Boderie, voL i. p. 120.

*** Winwood, vol. ii. p 55.

He therefore agreed with Rosni to support secretly the states general, in concert with the king of France; lest their weakness and despair should oblige them to submit to their old master. The articles of the treaty were few and simple. It was stipulated, that the two kings should allow the Dutch to levy forces in their respective dominions; and should underhand remit to that republic the sum of one million four hundred thousand livres a year, for the pay of these forces: that the whole sum should be advanced by the king of France; but that the third of it should be deducted from the debt due by him to Queen Elizabeth. And if the Spaniards attacked either of the princes, they agreed to assist each other; Henry with a force of ten thousand men, James with that of six. This treaty, one of the wisest and most equitable concluded by James during the course of his reign was more the work of the prince himself, than any of his ministers.[*]

Amidst the great tranquillity, both foreign and domestic with which the nation was blest, nothing could be more surprising than the discovery of a conspiracy to subvert the government, and to fix on the throne Arabella Stuart, a near relation of the king's by the family of Lenox, and descended equally from Henry VII. Every thing remains still mysterious in this conspiracy; and history can give us no clew to unravel it. Watson and Clarke, two Catholic priests, were accused of the plot; Lord Grey, a Puritan; Lord Cobham, a thoughtless man, of no fixed principle; and Sir Walter Raleigh, suspected to be of that philosophical sect who were then extremely rare in England, and who have since received the appellation of "Free-thinkers;" together with these, Mr. Broke, brother to Lord Cobham, Sir Griffin Markham, Mr. Copeley, Sir Edward Parham. What cement could unite men of-such discordant principles in so dangerous a combination, what end they proposed, or what means proportioned to an undertaking of this nature, has never yet been explained, and cannot easily be imagined. As Raleigh, Grey, and Cobham were commonly believed, after the queen's death, to have opposed proclaiming the king till conditions should be made with him, they were, upon that account, extremely obnoxious to the court and ministry; and people were apt, at first, to suspect that the plot was merely a contrivance of Secretary Cecil, to get rid of his old confederates, now become his most inveterate enemies. But the confession, as well as trial, of the criminals, put the matter beyond doubt.[**] And though no one could find any marks of a concerted enterprise, it appeared that men of furious and ambitious spirits, meeting frequently together, and believing all the world discontented like themselves, had entertained very criminal projects, and had even entered, some of them at least, into a correspondence with Aremberg, the Flemish ambassador in order to give disturbance to the new settlement.

* Sully's Memoirs.

** State Trials, p. 180, 2d edit. Winwood, vol. ii. p. 8,11.

The two priests[*] and Broke[**] were executed: Cobham, Grey, and Markham were pardoned,[***] after they had laid their heads upon the block.[****] Raleigh too was reprieved, not pardoned; and he remained in confinement many years afterwards.

It appears from Sully's Memoirs, that Raleigh secretly offered his services to the French ambassador; and we may thence presume that, meeting with a repulse from that quarter, he had recourse, for the same unwarrantable purposes, to the Flemish minister. Such a conjecture we are now enabled to form; but it must be confessed, that on his trial there appeared no proof of this transaction, nor indeed any circumstance which could justify his condemnation. He was accused by Cobham alone, in a sudden fit of passion, upon hearing that Raleigh, when examined, had pointed out some circumstances by which Cobham's guilt might be known and ascertained. This accusation Cobham afterwards retracted; and, soon after, he retracted his retractation. Yet upon the written evidence of this single witness, a man of no honor or understanding, and so contradictory in his testimony; not confronted with Raleigh; not supported by any concurring circumstance; was that great man, contrary to all law and equity, found guilty by the jury. His name was at that time extremely odious in England; and every man was pleased to give sentence against the capital enemy of Essex, the favorite of the people.

Sir Edward Coke, the famous lawyer, then attorney-general, managed the cause for the crown, and threw out on Raleigh such gross abuse, as may be deemed a great reflection, not only on his own memory, but even, in some degree, on the manners of the age. Traitor, monster, viper, and spider of hell, are the terms which he employs against one of the most illustrious men of the kingdom, who was under trial for life and fortune, and who defended himself with temper, eloquence, and courage.[v]

* November 29.

** December 5.

*** December 9.

**** Winwood, vol. ii p. 11.

v State Trials, 1st edit. p. 176, 177, 182.

1604.

The next occupation of the king was entirely according to his heart's content. He was employed in dictating magisterially to an assembly of divines concerning points of faith and discipline, and in receiving the applauses of these holy men for his superior zeal and learning. The religious disputes between the church and the Puritans had induced him to call a conference at Hampton Court, on pretence of finding expedients which might reconcile both parties.

Though the severities of Elizabeth towards the Catholics had much weakened that party, whose genius was opposite to the prevailing spirit of the nation, like severities had had so little influence on the Puritans, who were encouraged by that spirit, that no less than seven hundred and fifty clergymen of that party signed a petition to the king on his accession; and many more seemed willing to adhere to it.[*]

* Fuller, book x. Collier, vol. ii. p. 672.

They all hoped that James, having received his education in Scotland, and having sometimes professed an attachment to the church established there, would at least abate the rigor of the laws enacted in support of the ceremonies, and against Puritans; if he did not show more particular grace and encouragement to that sect. But the king's disposition had taken strongly a contrary bias. The more he knew the Puritanical clergy, the less favor he bore to them. He had remarked in their Scottish brethren a violent turn towards republicanism, and a zealous

attachment to civil liberty; principles nearly allied to that religious enthusiasm with which they were actuated. He had found, that being mostly persons of low birth and mean education, the same lofty pretensions which attended them in their familiar addresses to their Maker, of whom they believed themselves the peculiar favorites, induced them to use the utmost freedoms with their earthly sovereign. In both capacities, of monarch and of theologian, he had experienced the little complaisance which they were disposed to show him; whilst they controlled his commands, disputed his tenets, and to his face, before the whole people, censured his conduct and behavior. If he had submitted to the indignity of courting their favor, he treasured up, on that account, the stronger resentment against them, and was determined to make them feel, in their turn, the weight of his authority. Though he had often met with resistance, and faction, and obstinacy in the Scottish nobility, he retained no ill will to that order; or rather showed them favor and kindness in England, beyond what reason and sound policy could well justify; but the ascendant which the Presbyterian clergy had assumed over him, was what his monarchical pride could never thoroughly digest.[*]

* James ventured to say, in his Basilicon Duron, published while he was in Scotland, "I protest before the great God, and since I am here as upon my Testament, it is no place for me to lie in, that ye shall never find with any highland or borderer thieves, greater in gratitude, and more lies and vile perjuries, than with these fanatic spirits: and suffer not the principal of them to brook your land,"—King James's Works, p. 161.

He dreaded likewise the popularity which attended this order of men in both kingdoms. As useless austerities and self-denial are imagined, in many religions, to render us acceptable to a benevolent Being, who created us solely for happiness, James remarked, that the rustic severity of these clergymen, and of their whole sect, had given them, in the eyes of the multitude, the appearance of sanctity and virtue. Strongly inclined himself to mirth, and wine, and sports of all kinds, he apprehended their censure for his manner of life, free and disengaged. And being thus averse, from temper as well as policy, to the sect of Puritans, he was resolved, if possible, to prevent its further growth in England.

But it was the character of James's councils, throughout his whole reign, that they were more wise and equitable in their end, than prudent and political in the means. Though justly sensible that no part of civil administration required greater care or a nicer judgment than the conduct of religious parties, he had not perceived that, in the same proportion as this practical knowledge of theology is requisite, the speculative refinements in it are mean, and even dangerous in a monarch. By entering zealously into frivolous disputes, James gave them an air of importance and dignity which they could not otherwise have acquired; and being himself enlisted in the quarrel, he could no longer have recourse to contempt and ridicule, the only proper method of appeasing it. The church of England had not yet abandoned the rigid doctrines of grace and pre-destination: the puritans had not yet separated themselves from the church, nor openly renounced Episcopacy. Though the spirit of the parties was considerably different, the only appearing subjects of dispute were concerning the cross in baptism, the ring in marriage, the use of the surplice, and the bowing at the name of Jesus. These were the mighty questions which were solemnly agitated in the conference at Hampton Court between some bishops and dignified clergymen on the one hand, and some leaders of the Puritanical party on the other, the king and his ministers being present.[*]

The Puritans were here so unreasonable as to complain of a partial and unfair management of the dispute; as if the search after truth were in any degree the object of such conferences, and

a candid indifference, so rare even among private inquirers in philosophical questions, could ever be expected among princes and prelates, in a theological controversy. The king, it must be confessed, from the beginning of the conference, showed the strongest propensity to the established church, and frequently inculcated a maxim which, though it has some foundation, is to be received with great limitations, "No bishop, no king." The bishops, in their turn, were very liberal of their praises towards the royal disputant; and the archbishop of Canterbury said, that "undoubtedly his majesty spake by the special assistance of God's Spirit."[**] A few alterations in the liturgy were agreed to, and both parties separated with mutual dissatisfaction.

It had frequently been the practice of the Puritans to form certain assemblies, which they called "prophesyings;" where alternately, as moved by the spirit, they displayed their pious zeal in prayers and exhortations, and raised their own enthusiasm, as well as that of their audience, to the highest pitch, from that social contagion which has so mighty an influence on holy fervors, and from the mutual emulation which arose in those trials of religious eloquence. Such dangerous societies had been suppressed by Elizabeth; and the ministers in this conference moved the king for their revival. But James sharply replied, "If you aim at a Scottish presbytery, it agrees as well with monarchy as God and the devil. There Jack and Tom, and Will and Dick, shall meet and censure me and my council. Therefore I reiterate my former speech: Le roi s'avisera. Stay, I pray, for one seven years, before you demand; and then, if you find me grow pursy and fat, I may perchance hearken unto you. For that government will keep me in breath, and give me work enough."[***] Such were the political considerations which determined the king in his choice among religious parties.

* Fuller's Ecclesiastical History.

** Kennet, p. 665.

*** Fuller's Ecclesiastical History.

The next assembly in which James displayed his learning and eloquence, was one that showed more spirit of liberty than appeared among his bishops and theologians The parliament was now ready to assemble; being so long delayed on account of the plague, which had broken out in London, and raged to such a degree, that above thirty thousand persons are computed to have died of it in a year; though the city contained at that time little more than one hundred and fifty thousand inhabitants.

The speech which the king made on opening the parliament, fully displays his character, and proves him to have possessed more knowledge and better parts, than prudence, or any just sense of decorum and propriety.[*] Though few productions of the age surpass this performance either in style or matter, it wants that majestic brevity and reserve which become a king in his addresses to the great council of the nation. It contains, however, a remarkable stroke of candor, where he confesses his too great facility in yielding to the solicitations of suitors:[**] a fault which he promises to correct, but which adhered to him, and distressed him, during the whole course of his reign.

The first business in which the commons were engaged was of the utmost importance to the preservation of their privileges; and neither temper nor resolution was wanting in their conduct of it.

In the former periods of the English government, the house of commons was of so small weight in the balance of the constitution, that little attention had been given either by the crown, the people, or the house itself, to the choice and continuance of the members. It had been usual, after parliaments were prolonged beyond one session, for the chancellor to exert a discretionary authority of issuing new writs to supply the place of any members whom he

judged incapable of attending, either on account of their employment, their sickness, or other impediment. This practice gave that minister, and consequently the prince, an unlimited power of modelling at pleasure the representatives of the nation; yet so little jealousy had it created, that the commons of themselves, without any court influence or intrigue, and contrary to some former votes of their own, confirmed it in the twenty-third of Elizabeth.[***]

* King James's Works, p. 484, 485, etc. Journ. 22d March, 1603. Kennet, p. 668.

** King James's Works, p. 495, 496.

*** Journ. January 19th, 1580.

At that time, though some members, whose places had been supplied on account of sickness, having now recovered their health, appeared in the house and claimed their seat, such was the authority of the chancellor, that, merely out of respect to him, his sentence was adhered to, and the new members were continued in their places. Here a most dangerous prerogative was conferred on the crown: but to show the genius of that age, or rather the channels in which power then ran, the crown put very little value on this authority; insomuch that two days afterwards the chancellor of himself resigned it back to the commons, and gave them power to judge of a particular vacancy in their house. And when the question concerning the chancellor's new writs was again brought on the carpet towards the end of the session, the commons were so little alarmed at the precedent, that though they readmitted some old members, whose seats had been vacated on account of slight indispositions, yet they confirmed the chancellor's sentence, in instances where the distemper appeared to have been dangerous and incurable.[*]

* Journ. March 18th, 1580. See further, D'Ewes, p 430.

Nor did they proceed any further in vindication of their privileges than to vote, "That during the sitting of parliament, there do not, at any time, any writ go out for choosing or returning any member without the warrant of the house." In Elizabeth's reign, we may remark, and the reigns preceding, sessions of parliament were not usually the twelfth part so long as the vacations; and during the latter, the chancellor's power, if he pleased to exert it, was confirmed, at least left, by this vote, as unlimited and unrestrained as ever.

In a subsequent parliament, the absolute authority of the queen was exerted in a manner still more open; and began for the first time to give alarm to the commons. New writs having been issued by the chancellor when there was no vacancy, and a controversy arising upon that incident, the queen sent a message to the house, informing them that it were impertinent for them to deal in such matters. These questions, she said, belonged only to the chancellor; and she had appointed him to confer with the judges, in order to settle all disputes with regard to elections. The commons had the courage, a few days after, to vote, "That it was a most perilous precedent, where two knights of a county were duly elected, if any new writ should issue out for a second election without order of the house itself: that the discussing and adjudging of this and such like differences belonged only to the house; and that there should be no message sent to the lord chancellor, not so much as to inquire what he had done in the matter, because it was conceived to be a matter derogatory to the power and privilege of the house."[*] This is the most considerable, and almost only instance of parliamentary liberty, which occurs during the reign of that princess.

Outlaws, whether on account of debts or crimes, had been declared by the judges[*] incapable of enjoying a seat in the house, where they must themselves be lawgivers; but this opinion of the judges had been frequently overruled. I find, however, in the case of Vaughan,[**] who was questioned for an outlawry, that, having proved all his debts to have been contracted by suretyship, and to have been most of them honestly compounded, he was allowed, on account of these favorable circumstances, to keep his seat; which plainly supposes, that otherwise it would have been vacated on account of the outlawry.[***]

When James summoned this parliament, he issued a proclamation,[****] in which, among many general advices, which, like a kind tutor, he bestowed on his people, he strictly enjoins them not to choose any outlaw for their representative. And he adds, "If any person take upon him the place of knight, citizen, or burgess, not being duly elected, according to the laws and statutes in that behalf provided, and according to the purport, effect, and true meaning of this our proclamation, then every person so offending to be fined or imprisoned for the same." A proclamation here was plainly put on the same footing with a law, and that in so delicate a point as the right of elections; most alarming circumstances, had there not been reason to believe that this measure, being entered into so early in the king's reign, proceeded more from precipitation and mistake, than from any serious design of invading the privileges of parliament.[v]

* D'Ewes, p. 397.

** 39 H. 6.

*** Journ. Feb. 8th, 1580.

**** In a subsequent parliament, that of the thirty-fifth of the queen, the commons, after a great debate, expressly voted, that a person outlawed might be elected. D'Ewes, p. 518. But as the matter had been much contested, the king might think the vote of the house no law, and might esteem his own decision of more weight than theirs. We may also suppose that he was not acquainted with this vote. Queen Elizabeth, in her speech to her last parliament, complained of their admitting outlaws, and represents that conduct of the house as a great abuse.

v Jan. 11th, 1604. Rymer, tom. xvi. p. 561.

Sir Francis Goodwin was chosen member for the county of Bucks; and his return, as usual, was made into chancery. The chancellor, pronouncing him an outlaw, vacated his seat and issued writs for a new election.[*] Sir John Fortescue was chosen in his place by the county: but the first act of the house was to reverse the chancellor's sentence, and restore Sir Francis to his seat. At the king's suggestion, the lords desired a conference on the subject; but were absolutely refused by the commons, as the question entirely regarded their own privileges.[**] The commons, however, agreed to make a remonstrance to the king by the mouth of their speaker; in which they maintained that, though the returns were by form made into chancery, yet the sole right of judging with regard to elections belonged to the house itself, not to the chancellor.[***] James was not satisfied, and ordered a conference between the house and the judges, whose opinion in this case was opposite to that of the commons. This conference, he said, he commanded as an "absolute" king;[****] an epithet, we are apt to imagine, not very

grateful to English ears, but one to which they had already been somewhat accustomed from the mouth of Elizabeth.[v] 44 He added, "That all their privileges were derived from his grant, and hoped they would not turn them against him;"[v*] a sentiment which, from her conduct, it is certain that princess had also entertained, and which was the reigning principle of her courtiers and ministers, and the spring of all her administration.

* The duke of Sully tells us, that it was a maxim of James, that no prince, in the first year of his reign, should begin any considerable undertaking; a maxim reasonable in itself, and very suitable to his cautious, not to say timid character. The facility with which he departed from this pretension, is another proof that his meaning was innocent. But had the privileges of parliament been at that time exactly ascertained, or royal power fully limited, could such an imagination ever have been entertained by him, as to think that his proclamations could regulate parliamentary elections?

** Winwood, vol. ii. p. 18, 19.

*** Journ. 26th March, 1604

**** Journ. 3d April, 1604.

v See note RR, at the end of the volume.

v* Camden, in Kennet, p. 375.

The commons were in some perplexity. Their eyes were now opened, and they saw the consequences of that power which had been assumed by the chancellor, and to which their predecessors had in some instances blindly submitted. "By this course," said a member, "the free election of the counties is taken away, and none shall be chosen but such as shall please the king and council. Let us therefore with fortitude, understanding, and sincerity, seek to maintain our privilege. This cannot be construed any contempt in us, but merely a maintenance of our common rights, which our ancestors have left us, and which it is just and fit for us to transmit to our posterity."[*] Another said, "This may be called a quo warranto to seize all our liberties."[**] "A chancellor," added a third, "by this course may call a parliament consisting of what persons he pleases. Any suggestion, by any person, may be the cause of sending a new writ. It is come to this plain question, whether the chancery or parliament ought to have authority."[***]

Notwithstanding this watchful spirit of liberty which now appeared in the commons, their deference for majesty was so great that they appointed a committee to confer with the judges before the king and council. There the question of law began to appear in James's eyes a little more doubtful than he had hitherto imagined it; and in order to extricate himself with some honor, he proposed that both Goodwin and Fortescue should be set aside, and a writ be issued, by warrant of the house, for a new election. Goodwin gave his consent, and the commons embraced the expedient; but in such a manner that, while they showed their regard for the king, they secured for the future the free possession of their seats, and the right which they claimed of judging solely in their own elections and returns.[****] 45

A power like this, so essential to the exercise of all their other powers, themselves so essential to public liberty, cannot fairly be deemed an encroachment in the commons; but must be regarded as an inherent privilege, happily rescued from that ambiguity which the negligence of some former parliaments had thrown upon it.

At the same time, the commons, in the case of Sir Thomas Shirley, established their power of punishing, as well the persons at whose suit any member is arrested, as the officers who either arrest or detain him. Their asserting of this privilege admits of the same reflection.[v]

* Journ, 30th March, 1604.

** Journ, 30th March, 1604.

*** Journ. 30th March, 1604.

**** See note SS, at the end of the volume.

v Journ. 6th and 7th May, 1604.

About this period, the minds of men throughout Europe, especially in England, seem to have undergone a general but insensible revolution. Though letters had been revived in the preceding age, they were chiefly cultivated by those of sedentary professions; nor had they till now begun to spread themselves in any degree among men of the world. Arts, both mechanical and liberal, were every day receiving great improvements. Navigation had extended itself over the whole globe. Travelling was secure and agreeable. And the general system of politics in Europe was become more enlarged and comprehensive.

In consequence of this universal fermentation, the ideas of men enlarged themselves on all sides; and the several constituent parts of the Gothic governments, which seem to have lain long inactive, began everywhere to operate and encroach on each other. On the continent, where the necessity of discipline had begotten standing armies, the princes commonly established an unlimited authority, and overpowered, by force or intrigue, the liberties of the people. In England, the love of freedom, which, unless checked, flourishes extremely in all liberal natures, acquired new force, and was regulated by more enlarged views, suitable to that cultivated understanding which became every day more common among men of birth and education. A familiar acquaintance with the precious remains of antiquity excited in every generous breast a passion for a limited constitution, and begat an emulation of those manly virtues which the Greek and Roman authors, by such animating examples, as well as pathetic expressions, recommend to us. The severe, though popular government of Elizabeth had confined this rising spirit within very narrow bounds; but when a new and a foreign family succeeded to the throne, and a prince less dreaded and less beloved, symptoms immediately appeared of a more free and independent genius in the nation.

Happily, this prince possessed neither sufficient capacity to perceive the alteration, nor sufficient art and vigor to check it in its early advances. Jealous of regal, because conscious of little personal authority, he had established within his own mind a speculative system of absolute government, which few of his subjects, he believed, and none but traitors and rebels, would make any scruple to admit. On whichever side he cast his eye, every thing concurred to encourage his prejudices. When he compared himself with the other hereditary sovereigns of Europe, he imagined that, as he bore the same rank, he was entitled to equal prerogatives; not considering the innovations lately introduced by them, and the military force by which their authority was supported. In England, that power, almost unlimited, which had been exercised for above a century, especially during the late reign, he ascribed solely to royal birth and title;

not to the prudence and spirit of the monarchs, nor to the conjunctures of the times. Even the opposition which he had struggled with in Scotland, encouraged him still further in his favorite notions; while he there saw, that the same resistance which opposed regal authority, violated all law and order, and made way either for the ravages of a barbarous nobility, or for the more intolerable insolence of seditious preachers. In his own person, therefore, he thought all legal power to be centred, by an hereditary and a divine right: and this opinion might have proved dangerous, if not fatal to liberty, had not the firmness of the persuasion, and its seeming evidence, induced him to trust solely to his right, without making the smallest provision, either of force or politics, in order to support it.

Such were the opposite dispositions of parliament and prince at the commencement of the Scottish line; dispositions just beginning to exist and to appear in the parliament,[*] 46 but thoroughly established and openly avowed on the part of the prince.

* See note TT, at the end of the volume.

The spirit and judgment of the house of commons appeared, not only in defence of their own privileges, but also in their endeavor, though at this time in vain, to free trade from those shackles which the high exerted prerogative, and even, in this respect, the ill-judged tyranny of Elizabeth, had imposed upon it.

James had already, of his own accord, called in and annulled all the numerous patents for monopolies which had been granted by his predecessor, and which extremely fettered every species of domestic industry: but the exclusive companies still remained; another species of monopoly, by which almost all foreign trade, except that to France, was brought into the hands of a few rapacious engrossers, and all prospect of future improvement in commerce was forever sacrificed to a little temporary advantage of the sovereign. These companies, though arbitrarily erected, had carried their privileges so far, that almost all the commerce of England was centred in London; and it appears that the customs of that port amounted to one hundred and ten thousand pounds a year, while those of all the kingdom beside yielded only seventeen thousand.[*] Nay, the whole trade of London was confined to about two hundred citizens,[**] who were easily enabled, by combining among themselves, to fix whatever price they pleased both to the exports and imports of the nation. The committee appointed to consider this enormous grievance, one of the greatest which we read of in English story, insist on it as a fact well known and avowed, however contrary to present received opinion, that shipping and seamen had insensibly decayed during all the preceding reign.[***] And though nothing be more common than complaints of the decay of trade, even during the most flourishing periods, yet is this a consequence which might naturally result from such arbitrary establishments, at a time when the commerce of all the other nations of Europe, except that of Scotland, enjoyed full liberty and indulgence.

While the commons were thus attempting to give liberty to the trading part of the nation, they also endeavored to free the landed property from the burden of wardships,[****] and to remove those remains of the feudal tenures under which the nation still labored. A just regard was shown to the crown in the conduct of this affair; nor was the remedy sought for considered as a matter of right, but merely of grace and favor. The profit which the king reaped, both from wards and from respite of homage, was estimated; and it was intended to compound for these prerogatives by a secure and independent revenue. But after some debates in the house, and some conferences with the lords, the affair was found to contain more difficulties than could easily, at that time, be surmounted; and it was not then brought to any conclusion.

The same fate attended an attempt of a like nature, to free the nation from the burden of purveyance. This prerogative had been much abused by the purveyors;[v] and the commons showed some intention to offer the king fifty thousand pounds a year for the abolition of it.

* Journ. 21st May, 1604.

** Journ. 21st May, 1604.

*** A remonstrance from the Trinity House, in 1602, says, that in a little above twelve years after 1588, the shipping and number of seamen in England decayed about a third. Anglesey's Happy Future State of England, p. 128, from Sir Julius Caesar's Collections. See Journ. 21st May, 1604.

**** Journ. 1st June, 1604.

v Journ. 30th April, 1604.

Another affair of the utmost consequence was brought before the parliament, where the commons showed a greater spirit of independence than any true judgment of national interest. The union of the two kingdoms was zealously, and even impatiently, urged by the king.[*] He justly regarded it as the peculiar felicity of his reign, that he had terminated the bloody animosities of these hostile nations; and had reduced the whole island under one government, enjoying tranquillity within itself, and security from all foreign invasions. He hoped that, while his subjects of both kingdoms reflected on past disasters, besides regarding his person as infinitely precious, they would entertain the strongest desire of securing themselves against the return of like calamities, by a thorough union of laws, parliaments, and privileges. He considered not, that this very reflection operated, as yet, in a contrary manner on men's prejudices, and kept alive that mutual hatred between the nations, which had been carried to the greatest extremities, and required time to allay it. The more urgent the king appeared in promoting so useful a measure, the more backward was the English parliament in concurring with him; while they ascribed his excessive zeal to that partiality in favor of his ancient subjects, of which they thought that, on other occasions, they had reason to complain. Their complaisance for the king, therefore, carried them no further than to appoint forty-four English to meet with thirty-one Scottish commissioners, in order to deliberate concerning the terms of a union; but without any power of making advances towards the establishment of it.[**]

* Journ. 21st April, 1st May, 1604. Parliamentary History, vol v p. 91.

** Journ. 7th June, 1604. Kennet, p. 673.

The same spirit of independence, and perhaps not better judgment, appeared in the house of commons when the question of supply was brought before them by some members attached to the court. In vain was it urged that, though the king received a supply which had been voted to Elizabeth, and which had not been collected before her death, yet he found it burdened with a debt contracted by the queen, equal to the full amount of it: that peace was not yet thoroughly concluded with Spain, and that Ireland was still expensive.

On his journey from Scotland, amidst such a concourse of people, and on that of the queen and royal family he had expended considerable sums; and that, as the courtiers had looked for greater liberalities from the prince on his accession, and had imposed on his generous nature, so the prince, in his turn, would expect, at the beginning, some mark of duty and attachment from his people, and some consideration of his necessities. No impression was made on the

house of commons by these topics; and the majority appeared fully determined to refuse all supply. The burden of government, at that time, lay surprisingly light upon the people: and that very reason, which to us, at this distance, may seem a motive of generosity, was the real cause why the parliament was, on all occasions, so remarkably, frugal and reserved. They were not, as yet, accustomed to open their purses in so liberal a manner as their successors, in order to supply the wants of their sovereign; and the smallest demand, however requisite, appeared in their eyes unreasonable and exorbitant. The commons seem also to have been desirous of reducing the crown to still further necessities, by their refusing a bill, sent down to them by the lords, for entailing the crown lands forever on the king's heirs and successors.[*] The dissipation made by Elizabeth had probably taught James the necessity of this law, and shown them the advantage of refusing it.

In order to cover a disappointment with regard to supply, which might bear a bad construction both at home and abroad, James sent a message to the house,[*] in which he told them that he desired no supply; and he was very forward in refusing what was never offered him.

* Parliamentary Hist. vol. v. p. 108.

Soon after, he prorogued the parliament, not without discovering in his speech visible marks of dissatisfaction. Even so early in his reign, he saw reason to make public complaints of the restless and encroaching spirit of the Puritanical party, and of the malevolence with which they endeavored to inspire the commons. Nor were his complaints without foundation, or the Puritans without interest; since the commons, now finding themselves free from the arbitrary government of Elizabeth, made application for a conference with the lords, and presented a petition to the king; the purport of both which was, to procure in favor of the Puritans, a relaxation of the ecclesiastical laws.[*] The use of the surplice, and of the cross in baptism is there chiefly complained of; but the remedy seems to have been expected solely from the king's dispensing power,[**] In the papers which contain this application and petition, we may also see proofs of the violent animosity of the commons against the Catholics, together with the intolerating spirit of that assembly.[***] 47

This summer, the peace with Spain was finally concluded, and was signed by the Spanish ministers at London.[****] In the conferences previous to this treaty, the nations were found to have so few claims on each other, that, except on account of the support given by England to the Low Country provinces, the war might appear to have been continued more on account of personal animosity between Philip and Elizabeth, than any contrariety of political interests between their subjects. Some articles in the treaty, which seemed prejudicial to the Dutch commonwealth, were never executed by the king; and as the Spaniards made no complaints on that head, it appeared that, by secret agreement, the king had expressly reserved the power of sending assistance to the Hollanders.[v] The constable of Castile came into England to ratify the peace; and on the part of England, the earl of Hertford was sent into the Low Countries for the same purpose, and the earl of Nottingham, high admiral, into Spain. The train of the latter was numerous and splendid; and the Spaniards, it is said, were extremely surprised when they beheld the blooming countenances and graceful appearance of the English, whom their bigotry, inflamed by the priests, had represented as so many monsters and infernal demons.

* La Boderie, the French ambassador, says, that the house of commons [Greek:][Greek:]was composed mostly of Puritans. Vol. i. p. 81.

** Parl. Hist. vol. v. p. 98, 99, 100.

*** See note UU, at the end of the volume.

**** Rymer, torn. xvi. p. 585, etc.

v Winwood, vol. ii. p. 27, 330, et alibi.

Though England, by means of her naval force, was perfectly secure during the latter years of the Spanish war, James showed an impatience to put an end to hostilities; and soon after his accession, before any terms of peace were concerted, or even proposed by Spain, he recalled all the letters of marque.

In this respect, James's peace was more honorable than that which Henry IV. himself made with Spain. This latter prince stipulated not to assist the Dutch; and the supplies which he secretly sent them were in direct contravention to the treaty.[*] which had been granted by Queen Elizabeth. Archduke Albert had made some advances of a like nature[**] which invited the king to take this friendly step. But what is remarkable, in James's proclamation for that purpose he plainly supposes, that as he had himself, while king of Scotland, always lived in amity with Spain, peace was attached to his person; and that merely by his accession to the crown of England, without any articles of treaty or agreement, he had ended the war between the kingdoms.[***] This ignorance of the law of nations may appear surprising in a prince who was thirty-six years of age, and who had reigned from his infancy; did we not consider that a king of Scotland, who lives in close friendship with England, has few transactions to manage with foreign princes, and has little opportunity of acquiring experience. Unhappily for James, his timidity, his prejudices, his indolence, his love of amusement, particularly of hunting, to which he was much addicted, ever prevented him from making any progress in the knowledge or practice of foreign politics, and in a little time diminished that regard which all the neighboring nations had paid to England during the reign of his predecessor.[****]

* 23d June., 1603.

** Grotii Annal. lib xii.

*** See Proclamations during the first seven years of King James Winwood, vol. ii. p. 65.

**** Mémoires do la Boderia, vol i p. 64,181, 195, 217, 302; vol. ii p. 214, 278.

CHAPTER XLVI.

JAMES I.

1604.

We are now to relate an event, one of the most memorable that history has conveyed to posterity, and containing at once a singular proof both of the strength and weakness of the human mind; its widest departure from morals, and most steady attachment to religious prejudices. It is the "gunpowder treason" of which I speak; a fact as certain as it appears incredible.

The Roman Catholics had expected great favor and indulgence on the accession of James, both as he was descended from Mary, whose life they believed to have been sacrificed to their cause, and as he himself, in his early youth, was imagined to have shown some partiality

towards them, which nothing, they thought, but interest and necessity had since restrained. It is pretended, that he had even entered into positive engagements to tolerate their religion as soon as he should mount the throne of England; whether their credulity had interpreted in this sense some obliging expressions of the king's, or that he had employed such an artifice in order to render them favorable to his title.[*]

* State Trials, vol. ii. p. 201, 202, 203. Winwood, vol. ii. p. 49.

Very soon they discovered their mistake; and were at once surprised and enraged to find James on all occasions express his intention of strictly executing the laws enacted against them, and of persevering in all the rigorous measures of Elizabeth. Catesby, a gentleman of good parts and of an ancient family, first thought of a most extraordinary method of revenge; and he opened his intention to Piercy, a descendant of the illustrious house of Northumberland. In one of their conversations with regard to the distressed condition of the Catholics, Piercy having broken into a sally of passion, and mentioned assassinating the king, Catesby took the opportunity of revealing to him a nobler and more extensive plan of treason, which not only included a sure execution of vengeance, but afforded some hopes of restoring the Catholic religion in England. "In vain," said he, "would you put an end to the king's life: he has children, who would succeed both to his crown and to his maxims of government. In vain would you extinguish the whole royal family: the nobility, the gentry, the parliament are all infected with the same heresy, and could raise to the throne another prince and another family, who, besides their hatred to our religion, would be animated with revenge for the tragical death of their predecessors. To serve any good purpose, we must destroy, at one blow, the king, the royal family, the lords, the commons; and bury all our enemies in one common ruin. Happily, they are all assembled on the first meeting of the parliament, and afford us the opportunity of glorious and useful vengeance. Great preparations will not be requisite. A few of us, combining, may run a mine below the hall in which they meet; and choosing the very moment when the king harangues both houses, consign over to destruction these determined foes to all piety and religion. Meanwhile, we ourselves standing aloof, safe and unsuspected, shall triumph in being the instruments of divine wrath, and shall behold with pleasure those sacrilegious walls, in which were passed the edicts for proscribing our church and butchering her children, tossed into a thousand fragments; while their impious inhabitants, meditating, perhaps, still new persecutions against us, pass from flames above to flames below, there forever to endure the torments due to their offences."[*]
Piercy was charmed with this project of Catesby; and they agreed to communicate the matter to a few more, and among the rest to Thomas Winter, whom they sent over to Flanders in quest of Fawkes, an officer in the Spanish service, with whose zeal and courage they were all thoroughly acquainted. When they enlisted any new conspirator, in order to bind him to secrecy, they always, together with an oath, employed the communion, the most sacred rite of their religion.[**] And it is remarkable, that no one of these pious devotees ever entertained the least compunction with regard to the cruel massacre which they projected, of whatever was great and eminent in the nation. Some of them only were startled by the reflection, that of necessity many Catholics must be present, as spectators or attendants on the king, or as having seats in the house of peers: but Tesmond, a Jesuit, and Garnet, superior of that order in England, removed these scruples, and showed them how the interests of religion required that the innocent should here be sacrificed with the guilty.

* History of the Gunpowder Treason.

** State Trials, vol. i. p. 190, 198, 210.

All this passed in the spring and summer of the year 1604; when the conspirators also hired a house in Piercy's name, adjoining to that in which the parliament was to assemble. Towards the end of that year, they began their operations. That they might be less interrupted, and give less suspicion to the neighborhood, they carried in store of provisions with them, and never desisted from their labor. Obstinate in their purpose, and confirmed by passion, by principle, and by mutual exhortation, they little feared death in comparison of a disappointment; and having provided arms, together with the instruments of their labor, they resolved there to perish in case of a discovery. Their perseverance advanced the work; and they soon pierced the wall, though three yards in thickness; but on approaching the other side, they were somewhat startled at hearing a noise which they knew not how to account for.

1605.

Upon inquiry, they found that it came from the vault below the house of lords; that a magazine of coals had been kept there; and that, as the coals were selling off, the vault would be let to the highest bidder. The opportunity was immediately seized; the place hired by Piercy; thirty-six barrels of powder lodged in it; the whole covered up with fagots and billets; the doors of the cellar boldly flung open; and every body admitted, as if it contained nothing dangerous.

Confident of success, they now began to look forward, and to plan the remaining part of their project. The king, the queen, Prince Henry, were all expected to be present at the opening of parliament. The duke, by reason of his tender age, would be absent; and it was resolved that Piercy should seize him, or assassinate him. The princess Elizabeth, a child likewise, was kept at Lord Harrington's house in Warwickshire; and Sir Everard Digby, Rookwood, Grant, being let into the conspiracy, engaged to assemble their friends on pretence of a hunting match, and seizing that princess, immediately to proclaim her queen. So transported were they with rage against their adversaries, and so charmed with the prospect of revenge, that they forgot all care of their own safety; and trusting to the general confusion which must result from so unexpected a blow, they foresaw not that the fury of the people, now unrestrained by any authority, must have turned against them, and would probably have satiated itself by a universal massacre of the Catholics.

The day so long wished for now approached, on which the parliament was appointed to assemble. The dreadful secret, though communicated to above twenty persons, had been religiously kept during the space of near a year and a half. No remorse, no pity, no fear of punishment, no hope of reward, had as yet induced any one conspirator either to abandon the enterprise, or make a discovery of it. The holy fury had extinguished in their breast every other motive; and it was an indiscretion at last, proceeding chiefly from these very bigoted prejudices and partialities, which saved the nation.

Ten days before the meeting of parliament, Lord Monteagle, a Catholic, son to Lord Morley, received the following letter, which had been delivered to his servant by an unknown hand: "My Lord,—Out of the love I bear to some of your friends, I have a care of your preservation. Therefore I would advise you, as you tender your life, to devise some excuse to shift off your attendance at this parliament For God and man have concurred to punish the wickedness of this time. And think not slightly of this advertisement; but retire yourself into your country, where you may expect the event in safety. For though there be no appearance of any stir, yet, I say, they will receive a terrible blow this parliament, and yet they shall not see who hurts them.

This counsel is not to be contemned, because it may do you good, and can do you no harm: for the danger is past as soon as you have burned the letter. And I hope God will give you the grace to make good use of it, unto whose holy protection I commend you."[*]

* King James's Works, p. 227.

Monteagle knew not what to make of this letter; and though inclined to think it a foolish attempt to frighten and ridicule him, he judged it safest to carry it to Lord Salisbury, secretary of state. Though Salisbury, too, was inclined to pay little attention to it, he thought proper to lay it before the king, who came to town a few days after. To the king it appeared not so light a matter; and from the serious, earnest style of the letter, he conjectured that it implied something dangerous and important A "terrible blow," and yet "the authors concealed;" a danger so "sudden," and yet so "great;" these circumstances seemed all to denote some contrivance by gun powder; and it was thought advisable to inspect all the vaults below the houses of parliament. This care belonged to the earl of Suffolk, lord chamberlain, who purposely delayed the search till the day before the meeting of parliament. He remarked those great piles of wood and fagots which lay in the vault under the upper house; and he cast his eye upon Fawkes, who stood in a dark corner, and passed himself for Piercy's servant. That daring and determined courage which so much distinguished this conspirator, even among those heroes in villany, was fully painted in his countenance, and was not passed unnoticed by the chamberlain.[*] Such a quantity also of fuel, for the use of one who lived so little in town as Piercy, appeared a little extraordinary;[**] and upon comparing all circumstances, it was resolved that a more thorough inspection should be made. About midnight, Sir Thomas Knevet, a justice of peace, was sent with proper attendants; and before the door of the vault finding Fawkes, who had just finished all his preparations, he immediately seized him, and turning over the fagots, discovered the powder. The matches, and every thing proper for setting fire to the train, were taken in Fawkes's pocket; who, finding his guilt now apparent, and seeing no refuge but in boldness and despair, expressed the utmost regret that he had lost the opportunity of firing the powder at once, and of sweetening his own death by that of his enemies.[***] Before the council he displayed the same intrepid firmness, mixed even with scorn and disdain; refusing to discover his accomplices, and showing no concern but for the failure of the enterprise.[****] This obstinacy lasted two or three days: but being confined to the Tower, left to reflect on his guilt and danger, and the rack being just shown to him, his courage, fatigued with so long an effort, and unsupported by hope or society, at last failed him, and he made a full discovery of all the conspirators.[v]

* King James's Works, p. 229.

** King James's Works, p. 229.

*** King James's Works, p. 230.

**** Winwood, vol. ii. p. 173.

v King James's Works, p. 231.

Catesby, Piercy, and the other criminals who were in London, though they had heard of the alarm taken at a letter sent to Monteagle; though they had heard of the chamberlain's search; yet were resolved to persist to the utmost, and never abandon their hopes of success.[*] 50 But at last, hearing that Fawkes was arrested, they hurried down to Warwickshire; where Sir

Everard Digby, thinking himself assured that success had attended his confederates, was already in arms, in order to seize the princess Elizabeth. She had escaped into Coventry; and they were obliged to put themselves on their defence against the country, who were raised from all quarters and armed by the sheriff. The conspirators, with all their attendants, never exceeded the number of eighty persons; and being surrounded on every side, could no longer entertain hopes either of prevailing or escaping. Having therefore confessed themselves, and received absolution, they boldly prepared for death, and resolved to sell their lives as dear as possible to the assailants. But even this miserable consolation was denied them. Some of their powder took fire, and disabled them for defence.[**] The people rushed in upon them. Piercy and Catesby were killed by one shot. Digby, Rookwood, Winter, and others, being taken prisoners, were tried, confessed their guilt, and died, as well as Garnet, by the hands of the executioner. Notwithstanding this horrid crime, the bigoted Catholics were so devoted to Garnet, that they fancied miracles to be wrought by his blood;[***] and in Spain he was regarded as a martyr.[****]

Neither had the desperate fortune of the conspirators urged them to this enterprise, nor had the former profligacy of their lives prepared them for so great a crime. Before that audacious attempt, their conduct seems, in general, to be liable to no reproach. Catesby's character had entitled him to such regard, that Rookwood and Digby were seduced by their implicit trust in his judgment; and they declared that, from the motive alone of friendship to him, they were ready, on any occasion, to have sacrificed their lives.[v] Digby himself was as highly esteemed and beloved as any man in England; and he had been particularly honored with the good opinion of Queen Elizabeth.

* See note XX, at the end of the volume.

** State Trials, vol. i. p. 199. Discourse of the Manner, etc. p. 69, 70.

*** Winwood, vol. ii. p. 300.

**** Winwood, vol. ii. p. 300.

v State Trials, vol. i. p. 201.

It was bigoted zeal alone, the most absurd of prejudices masked with reason, the most criminal of passions covered with the appearance of duty, which seduced them into measures that were fatal to themselves, and had so nearly proved fatal to their country.[*]

The lords Mordaunt and Stourton, two Catholics, were fined, the former ten thousand pounds, the latter four thousand, by the star chamber; because their absence from parliament had begotten a suspicion of their being acquainted with the conspiracy. The earl of Northumberland was fined thirty thousand pounds, and detained several years prisoner in the Tower, because, not to mention other grounds of suspicion, he had admitted Piercy into the number of gentlemen pensioners without his taking the requisite oaths.[**]

The king, in his speech to the parliament, observed that, though religion had engaged the conspirators in so criminal an attempt, yet ought we not to involve all the Roman Catholics in the same guilt, or suppose them equally disposed to commit such enormous barbarities. Many holy men, he said, and our ancestors among the rest, had been seduced to concur with that church in her scholastic doctrines, who yet had never admitted her seditious principles concerning the pope's power of dethroning kings, or sanctifying assassination. The wrath of Heaven is denounced against crimes, but innocent error may obtain its favor; and nothing can

be more hateful than the uncharitableness of the Puritans, who condemn alike to eternal torments even the most inoffensive partisans of Popery. For his part, he added, that conspiracy, however atrocious, should never alter in the least his plan of government: while with one hand he punished guilt, with the other he would still support and protect innocence.[***] After this speech he prorogued the parliament till the twenty-second of January.[****]

* Digby, after his condemnation, said, in a letter to his wife, "Now for my intention, let me tell you, that if I had thought there had been the least sin in the plot, I would not have been of it for all the world; and no other cause drew me to hazard my fortune and life, but zeal to God's religion." He expresses his surprise to hear that any Catholics had condemned it. Digby's Papers, published by Secretary Coventry.

* Camden, in Kennet, p. 692.

* King James's Works, p. 503, 504.

* The parliament this session passed an act obliging every one to take the oath of allegiance; a very moderate test, since it decided no controverted points between the two religions, and only engaged the persons who took it to abjure the pope's power of dethroning kings. See King James's Works p. 250.

The moderation, and, I may say, magnanimity of the king immediately after so narrow an escape from a most detestable conspiracy, was nowise agreeable to his subjects. Their animosity against Popery, even before this provocation, has risen to a great pitch; and it had perhaps been more prudent in James, by a little dissimulation, to have conformed himself to it. His theological learning, confirmed by disputation, has happily fixed his judgment in the Protestant faith; yet was his heart a little biased by the allurements of Rome; and he had been well pleased, if the making of some advances could have effected a union with that ancient mother church. He strove to abate the acrimony of his own subjects against the religion of their fathers: he became himself the object of their diffidence and aversion. Whatever measures he embraced—in Scotland to introduce prelacy, in England to enforce the authority of the established church, and support its rites and ceremonies—were interpreted as so many steps towards Popery; and were represented by the Puritans as symptoms of idolatry and superstition. Ignorant of the consequences, or unwilling to sacrifice to politics his inclination, which he called his conscience, he persevered in the same measures, and gave trust and preferment, almost indifferently, to his Catholic and Protestant subjects. And finding his person, as well as his title, less obnoxious to the church of Rome, than those of Elizabeth, he gradually abated the rigor of those laws which had been enacted against that church, and which were so acceptable to his bigoted subjects. But the effects of these dispositions on both sides became not very sensible till towards the conclusion of his reign.

1606.

At this time, James seems to have possessed the affections even of his English subjects, and, in a tolerable degree, their esteem and regard. Hitherto their complaints were chiefly levelled against his too great constancy in his early friendships; a quality which, had it been attended with more economy, the wise would have excused, and the candid would even, perhaps, have

applauded. His parts, which were not despicable, and his learning, which was great, being highly extolled by his courtiers and gownmen, and not yet tried in the management of any delicate affairs, for which he was unfit, raised a high idea of him in the world; nor was it always through flattery or insincerity that he received the title of the second Solomon. A report, which was suddenly spread about this time of his being assassinated, visibly struck a great consternation into all orders of men.[*] The commons also abated, this session, somewhat of their excessive frugality, and granted him an aid, payable in four years, of three subsidies and six fifteenths, which, Sir Francis Bacon said in the house,[**] might amount to about four hundred thousand pounds; and for once the king and parliament parted in friendship and good humor. The hatred which the Catholics so visibly bore him, gave him, at this time, an additional value in the eyes of his people. The only considerable point in which the commons incurred his displeasure, was by discovering their constant good will to the Puritans, in whose favor they desired a conference with the lords;[***] which was rejected.

The chief affair transacted next session, was the intended union of the two kingdoms.[****] Nothing could exceed the king's passion and zeal for this noble enterprise, but the parliament's prejudice and reluctance against it. There remain two excellent speeches in favor of the union, which it would not be improper to compare together; that of the king,[v] and that of Sir Francis Bacon. Those who affect in every thing such an extreme contempt for James, will be surprised to find that his discourse, both for good reasoning and elegant composition, approaches very near that of a man who was undoubtedly, at that time, one of the greatest geniuses in Europe. A few trivial indiscretions and indecorums may be said to characterize the harangue of the monarch, and mark it for his own. And, in general, so open and avowed a declaration in favor of a measure, while he had taken no care, by any precaution or intrigue, to insure success, may safely be pronounced an indiscretion. But the art of managing parliaments by private interest or cabal, being found hitherto of little use or necessity, had not as yet become a part of English politics. In the common course of affairs, government could be conducted without their assistance; and when their concurrence became necessary to the measures of the crown, it was, generally speaking, except in times of great faction and discontent, obtained without much difficulty.

* Kennet, p. 696.

** Journ. 20th May, 1606

*** Journ. 5th April, 1606.

**** Kennet, p 676.

v King James's Works, p. 509.

The king's influence seems to have rendered the Scottish parliament cordial in all the steps which they took towards the union. Though the advantages which Scotland might hope from that measure were more considerable, yet were the objections too, with regard to that kingdom more striking and obvious. The benefit which must have resulted to England, both by accession of strength and security, was riot despicable; and as the English were by far the greater nation, and possessed the seat of government, the objections, either from the point of honor or from jealousy, could not reasonably have any place among them. The English parliament, indeed, seem to have been swayed merely by the vulgar motive of national antipathy. And they persisted so obstinately in their prejudices, that all the efforts for a

thorough union and incorporation ended only in the abolition of the hostile laws formerly enacted between the kingdoms.[*]

* The commons were even so averse to the union, that they had complained in the former session, to the lords, of the bishop of Bristol, for writing a book in favor of it; and the prelate was obliged to make submissions for this offence. The crime imputed to him seems to have consisted in his treating of a subject which lay before the parliament: so little notion had they as yet of general liberty. See Parliamentary History, vol. v. p 108, 109, 110

Some precipitate steps, which the king, a little after his accession, had taken, in order to promote his favorite project, had been here observed to do more injury than service. From his own authority, he had assumed the title of king of Great Britain; and had quartered the arms of Scotland with those of England, in all coins, flags, and ensigns. He had also engaged the judges to make a declaration, that all those who, after the union of the crowns, should be born in either kingdom, were, for that reason alone, naturalized in both. This was a nice question, and, according to the ideas of those times, susceptible of subtle reasoning on both sides. The king was the same: the parliaments were different. To render the people therefore the same, we must suppose that the sovereign authority resided chiefly in the prince, and that these popular assemblies were rather instituted to assist with money and advice, than endowed with any controlling or active powers in the government. "It is evident," says Bacon, in his pleadings on this subject, "that all other commonwealths, monarchies only excepted, do subsist by a law precedent. For where authority is divided amongst many officers, and they not perpetual, but annual or temporary, and not to receive their authority but by election, and certain persons to have voices only in that election, and the like; these are busy and curious frames, which of necessity do presuppose a law precedent, written or unwritten, to guide and direct them: but in monarchies, especially hereditary, that is, when several families or lineages of people do submit themselves to one line, imperial or royal, the submission is more natural and simple; which afterwards, by law subsequent, is perfected, and made more formal; but that is grounded upon nature."[*] It would seem, from this reasoning, that the idea of an hereditary limited monarchy, though implicitly supposed in many public transactions, had scarcely ever as yet been expressly formed by any English lawyer or politician.

Except the obstinacy of the parliament with regard to the union, and an attempt on the king's ecclesiastical jurisdiction,[*] most of their measures, during this session, were sufficiently respectful and obliging; though they still discover a vigilant spirit, and a careful attention towards national liberty. The votes also of the commons show that the house contained a mixture of Puritans, who had acquired great authority among them,[**] and who, together with religious prejudices, were continually suggesting ideas more suitable to a popular than a monarchical form of government. The natural appetite for rule made the commons lend a willing ear to every doctrine which tended to augment their own power and influence.

1607.

A petition was moved in the lower house for a more rigorous execution of the laws against Popish recusants and an abatement towards Protestant clergymen who scrupled to observe the ceremonies. Both these points were equally unacceptable to the king; and he sent orders to the house to proceed no further in that matter. The commons were inclined, at first, to consider these orders as a breach of privilege; but they soon acquiesced, when told that this measure of the king's was supported by many precedents during the reign of Elizabeth.[***] Had they been

always disposed to make the precedents of that reign the rule of their conduct, they needed never have had any quarrel with any of their monarchs.

The complaints of Spanish depredations were very loud among the English merchants.[****] The lower house sent a message to the lords, desiring a conference with them, in order to their presenting a joint petition to the king on the subject.

* Bacon's Works, vol. iv. p. 190, 191, edit. 1730.

** Journ. 2d December; 5th March, 1606. 25th, 26th June, 1607.

*** Journ. 26th February; 4th, 7th March, 1606. 2d May; 17th June, 1607.

****Journ. 16th, 17th June, 1607.

The lords took some time to deliberate on this message; because, they said, the matter was weighty and rare. It probably occurred to them, at first, that the parliament's interposing in affairs of state would appear unusual and extraordinary. And to show that in this sentiment they were not guided by court influence, after they had deliberated, they agreed to the conference.

The house of commons began now to feel themselves of such importance, that, on the motion of Sir Edwin Sandys, a member of great authority, they entered, for the first time, an order for the regular keeping of their journals.[*] When all business was finished, the king prorogued the parliament.

* Journ. 3d July, 1607.

About this time there was an insurrection of the country people in Northamptonshire, headed by one Reynolds, a man of low condition. They went about destroying enclosures; but carefully avoided committing any other outrage. This insurrection was easily suppressed; and, though great lenity was used towards the rioters, yet were some of the ringleaders punished. The chief cause of that trivial commotion seems to have been, of itself, far from trivial. The practice still continued in England of disusing tillage and throwing the land into enclosures, for the sake of pasture. By this means the kingdom was depopulated, at least prevented from increasing so much in people as might have been expected from the daily increase of industry and commerce.

1608.

Next year presents us with nothing memorable; but in the spring of the subsequent,

1609.

after a long negotiation, was concluded, by a truce of twelve years, that war which, for near half a century, had been carried on with such fury between Spain and the states of the United Provinces. Never contest seemed, at first, more unequal; never contest was finished with more honor to the weaker party. On the side of Spain were numbers, riches, authority, discipline: on the side of the revolted provinces were found the attachment to liberty and the enthusiasm of religion. By her naval enterprises, the republic maintained her armies; and, joining peaceful industry to military valor, she was enabled, by her own force, to support herself, and gradually rely less on those neighboring princes, who, from jealousy to Spain, were at first prompted to encourage her revolt. Long had the pride of that monarchy prevailed over her interest, and prevented her from hearkening to any terms of accommodation with her rebellious subjects.

But finding all intercourse cut off between her provinces by the maritime force of the states, she at last agreed to treat with them as a free people, and solemnly to renounce all claim and pretension to their sovereignty.

This chief point being gained, the treaty was easily brought to a conclusion, under the joint mediation and guaranty of France and England. All exterior appearances of honor were paid equally to both crowns: but very different were the sentiments which the states, as well as all Europe, entertained of the princes who wore them. Frugality and vigor, the chief circumstances which procure regard among foreign nations, shone out as conspicuously in Henry as they were deficient in James. To a contempt of the English monarch, Henry seems to have added a considerable degree of jealousy and aversion, which were sentiments altogether without foundation. James was just and fair in all transactions with his allies;[*] but it appears from the memoirs of those times, that each side deemed him partial towards their adversary, and fancied that he had entered into secret measures against them;[**] so little equity have men in their judgments of their own affairs; and so dangerous is that entire neutrality affected by the king of England!

1610.

The little concern which James took in foreign affairs, renders the domestic occurrences, particularly those of parliament, the most interesting of his reign. A new session was held this spring; the king, full of hopes of receiving supply; the commons, of circumscribing his prerogative. The earl of Salisbury, now created treasurer on the death of the earl of Dorset, laid open the king's necessities, first to the peers, then to a committee of the lower house.[***]

* The plan of accommodation which James recommended is found in Winwood, (vol. ii. p. 429, 430,) and is the same that was recommended by Henry, as we learn from Jeanin, (tom. iii. p. 416, 417.) It had long been imagined by historians, from Jeanin's authority, that James had declared to the court of Spain, that he would not support the Dutch in their pretensions to liberty and independence. But it has since been discovered by Winwood's Memorials, (vol. ii. p. 456, 466, 469, 475, 476,) that that report was founded on a lie of President Richardot's.

** Winwood and Jeanin, passim.

*** Journ. 17th Feb. 1609. Kennet, p. 681.

He insisted on the unavoidable expense incurred in supporting the navy, and in suppressing a late insurrection in Ireland: he mentioned three numerous courts which the king was obliged to maintain, for himself, for the queen, and for the prince of Wales: he observed that Queen Elizabeth, though a single woman, had received very large supplies in the years preceding her death, which alone were expensive to her: and he remarked, that during her reign she had alienated many of the crown lands; an expedient which, though it supplied her present necessities, without laying burdens on her people, extremely multiplied the necessities of her successor. From all these causes he thought it nowise strange that the king's income should fall short so great a sum as eighty-one thousand pounds of his stated and regular expense; without mentioning contingencies, which ought always to be esteemed a fourth of the yearly charges. And as the crown was now necessarily burdened with a great and urgent debt of three hundred thousand pounds, he thence inferred the absolute necessity of an immediate and large supply from the people. To all these reasons, which James likewise urged in a speech addressed to

both houses, the commons remained inexorable. But not to shock the king with an absolute refusal, they granted him one subsidy and one fifteenth; which would scarcely amount to a hundred thousand pounds. And James received the mortification of discovering in vain all his wants, and of begging aid of subjects who had no reasonable indulgence or consideration for him.

Among the many causes of disgust and quarrel which now daily and unavoidably multiplied between prince and parliament, this article of money is to be regarded as none of the least considerable. After the discovery and conquest of the West Indies, gold and silver became every day more plentiful in England, as well as in the rest of Europe; and the price of all commodities and provisions rose to a height beyond what had been known since the declension of the Roman empire. As the revenue of the crown rose not in proportion,[*] the prince was insensibly reduced to poverty amidst the general riches of his subjects, and required additional funds in order to support the same magnificence and force which had been maintained by former monarchs. But, while money thus flowed into England, we may observe, that, at the same time, and probably from that very cause, arts and industry of all kinds received a mighty increase; and elegance in every enjoyment of life became better known and more cultivated among all ranks of people.

* Besides the great alienation of the crown lands, the fee-farm rents never increased, and the other lands were let on long leases and at a great undervalue, little or nothing above the old rent.

The king's servants, both civil and military, his courtiers, his ministers, demanded more ample supplies from the impoverished prince, and were not contented with the same simplicity of living which had satisfied their ancestors. The prince himself began to regard an increase of pomp and splendor as requisite to support the dignity of his character, and to preserve the same superiority above his subjects which his predecessors had enjoyed. Some equality, too, and proportion to the other sovereigns of Europe, it was natural for him to desire; and as they had universally enlarged their revenue, and multiplied their taxes, the king of England deemed it reasonable that his subjects, who were generally as rich as theirs, should bear with patience some additional burdens and impositions.

Unhappily for the king, those very riches, with the increasing knowledge of the age, bred opposite sentiments in his subjects; and, begetting a spirit of freedom and independence, disposed them to pay little regard either to the entreaties or menaces of their sovereign. While the barons possessed their former immense property and extensive jurisdictions, they were apt, at every disgust, to endanger the monarch, and throw the whole government into confusion; but this confusion often, in its turn, proved favorable to the monarch, and made the nation again submit to him, in order to reëstablish justice and tranquillity. After the power of alienations, as well as the increase of commerce, had thrown the balance of property into the hands of the commons, the situation of affairs, and the dispositions of men, became susceptible of a more regular plan of liberty; and the laws were not supported singly by the authority of the sovereign. And though in that interval, after the decline of the peers, and before the people had yet experienced their force, the princes assumed an exorbitant power, and had almost annihilated the constitution under the weight of their prerogative; as soon as the commons recovered from their lethargy, they seem to have been astonished at the danger, and were resolved to secure liberty by firmer barriers than their ancestors had hitherto provided for it.

Had James possessed a very rigid frugality, he might have warded off this crisis somewhat longer; and waiting patiently for a favorable opportunity to increase and fix his revenue, might

have secured the extensive authority transmitted to him. On the other hand, had the commons been inclined to act with more generosity and kindness towards their prince, they might probably have turned his necessities to good account, and have bribed him to depart peaceably from the more dangerous articles of his prerogative. But he was a foreigner, and ignorant of the arts of popularity; they were soured by religious prejudices, and tenacious of their money: and in this situation it is no wonder, that during this whole reign we scarcely find an interval of mutual confidence and friendship between prince and parliament.

The king, by his prerogative alone, had some years before altered the rates of the customs, and had established higher impositions on several kinds of merchandise. This exercise of power will naturally, to us, appear arbitrary and illegal; yet, according to the principles and practices of that time, it might admit of some apology. The duties of tonnage and poundage were at first granted to the crown by a vote of parliament, and for a limited time; and as the grant frequently expired and was renewed, there could not then arise any doubt concerning the origin of the king's right to levy these duties; and this imposition, like all others, was plainly derived from the voluntary consent of the people. But as Henry V., and all the succeeding sovereigns, had the revenue conferred on them for life, the prince, so long in possession of these duties, began gradually to consider them as his own proper right and inheritance, and regarded the vote of parliament as a mere formality, which rather expressed the acquiescence of the people in his prerogative, than bestowed any new gift or revenue upon him.

The parliament, when it first granted poundage to the crown, had fixed no particular rates: the imposition was given as a shilling in a pound, or five percent, on all commodities: it was left to the king himself and the privy council, aided by the advice of such merchants as they should think proper to consult, to fix the value of goods, and thereby the rates of the customs: and as that value had been settled before the discovery of the West Indies, it was become much inferior to the prices which almost all commodities bore in every market in Europe; and consequently the customs on many goods, though supposed to be five per cent., was in reality much inferior. The king, therefore, was naturally led to think, that rates which were now plainly false, ought to be corrected;[*] that a valuation of commodities, fixed by one act of the privy council, might be amended by another; that if his right to poundage were inherent in the crown, he should also possess, of himself, the right of correcting its inequalities; if this duty were granted by the people, he should at least support the spirit of the law, by fixing a new and a juster valuation of all commodities. But, besides this reasoning, which seems plausible, if not solid, the king was supported in that act of power by direct precedents, some in the reign of Mary, some in the beginning of Elizabeth.[**] Both these princesses had, without consent of parliament, altered the rates of commodities; and as their impositions had all along been submitted to without a murmur, and still continued to be levied, the king had no reason to apprehend that a further exertion of the same authority would give any occasion of complaint. That less umbrage might be taken, he was moderate in the new rates which he established: the customs, during his whole reign, rose only from one hundred and twenty-seven thousand pounds a year to one hundred and ninety thousand; though, besides the increase of the rates, there was a sensible increase of commerce and industry during that period: every commodity, besides, which might serve to the subsistence of the people, or might be considered as a material of manufactures, was exempted from the new impositions of James;[***] but all this caution could not prevent the complaints of the commons.

* Winwood, vol. ii. p. 438.

** Journ. 18th April; 5th and 10th May, 1614, etc.; 20th February 1625. See also Sir John Davis's Question concerning Impositions. p. 127, 128.

*** Sir John Davis's Question concerning Impositions.

A spirit of liberty had now taken possession of the house: the leading members, men of an independent genius and large views, began to regulate their opinions more by the future consequences which they foresaw, than by the former precedents which were set before them; and they less aspired at maintaining the ancient constitution, than at establishing a new one, and a freer, and a better. In their remonstrances to the king on this occasion, they observed it to be a general opinion, "That the reasons of that practice might be extended much further, even to the utter ruin of the ancient liberty of the kingdom, and the subjects' right of property in their lands and goods."[*] Though expressly forbidden by the king to touch his prerogative, they passed a bill abolishing these impositions; which was rejected by the house of lords.
In another address to the king, they objected to the practice of borrowing upon privy seals, and desired that the subjects should not be forced to lend money to his majesty, nor give a reason for their refusal. Some murmurs likewise were thrown out in the house against a new monopoly of the license of wines.[**] It must be confessed, that forced loans and monopolies were established on many and ancient as well as recent precedents; though diametrically opposite to all the principles of a free government.[***] 51
The house likewise discovered some discontent against the king's proclamations. James told them, "That though he well knew, by the constitution and policy of the kingdom, that proclamations were not of equal force with laws, yet he thought it a duty incumbent on him, and a power inseparably annexed to the crown, to restrain and prevent such mischiefs and inconveniencies as he saw growing on the state, against which no certain law was extant, and which might tend to the great detriment of the subject, if there should be no remedy provided till the meeting of a parliament. And this prerogative," he adds, "our progenitors have in all times used and enjoyed."[****] The intervals between sessions, we may observe, were frequently so long as to render it necessary for a prince to interpose by his prerogative. The legality of this exertion was established by uniform and undisputed practice; and was even acknowledged by lawyers, who made, however, this difference between laws and proclamations, that the authority of the former was perpetual, that of the latter expired with the sovereign who emitted them.[v] But what the authority could be which bound the subject, yet was different from the authority of laws, and inferior to it, seems inexplicable by any maxims of reason or politics: and in this instance, as in many others, it is easy to see how inaccurate the English constitution was, before the parliament was enabled, by continued acquisitions or encroachments, to establish it on fixed principles of liberty.

* Journ. 28th May, 1610.

** Parliament. Hist. vol. v. p. 241.

*** See note YY, at the end of the volume.

**** Parliament. Hist. vol. v. p. 250.

v Journ. 12th May, 1624.

Upon the settlement of the reformation, that extensive branch of power which regards ecclesiastical matters, being then without an owner, seemed to belong to the first occupant; and Henry VIII. failed not immediately to seize it, and to exert it even to the utmost degree of

tyranny. The possession of it was continued with Edward, and recovered by Elizabeth; and that ambitious princess was so remarkably jealous of this flower of her crown, that she severely reprimanded the parliament if they ever presumed to intermeddle in these matters; and they were so overawed by her authority as to submit, and to ask pardon on these occasions. But James's parliaments were much less obsequious. They ventured to lift up their eyes, and to consider this prerogative. They there saw a large province of government, possessed by the king alone, and scarcely ever communicated with the parliament. They were sensible that this province admitted not of any exact boundary or circumscription. They had felt that the Roman pontiff, in former ages, under pretence of religion, was gradually making advances to usurp the whole civil power. They dreaded still more dangerous consequences from the claims of their own sovereign, who resided among them, and who, in many other respects, possessed such unlimited authority. They therefore deemed it absolutely necessary to circumscribe this branch of prerogative; and accordingly, in the preceding session, they passed a bill against the establishment of any ecclesiastical canons without consent of parliament.[*] But the house of lords, as is usual, defended the barriers of the throne, and rejected the bill.

In this session, the commons, after passing anew the same bill, made remonstrances against the proceedings of the high commission court.[**] It required no great penetration to see the extreme danger to liberty, arising in a regal government, from such large discretionary powers as were exercised by that court. But James refused compliance with the application of the commons. He was probably sensible that, besides the diminution of his authority, many inconveniencies must necessarily result from the abolishing of all discretionary power in every magistrate; and that the laws, were they ever so carefully framed and digested, could not possibly provide against every contingency; much less, where they had not as yet attained a sufficient degree of accuracy and refinement.

* Journ. 2d, 11th December; 5th March, 1606.

** Parliament. Hist. vol. v. p. 247. Kennet, p. 681.

But the business which chiefly occupied the commons during this session, was the abolition of wardships and purveyance; prerogatives which had been more or less touched on every session during the whole reign of James. In this affair the commons employed the proper means which might entitle them to success: they offered the king a settled revenue, as an equivalent for the powers which he should part with; and the king was willing to hearken to terms. After much dispute, he agreed to give up these prerogatives for two hundred thousand pounds a year, which they agreed to confer upon him.[*] And nothing remained towards closing the bargain, but that the commons should determine the funds by which this sum should be levied. This session was too far advanced to bring so difficult a matter to a full conclusion; and though the parliament met again towards the end of the year, and resumed the question, they were never able to terminate an affair upon which they seemed so intent. The journals of that session are lost; and as the historians of this reign are very negligent in relating parliamentary affairs, of whose importance they were not sufficiently apprised, we know not exactly the reason of this failure. It only appears, that the king was extremely dissatisfied with the conduct of the parliament, and soon after dissolved it. This was his first parliament, and it sat near seven years.

* We learn from Winwood's Memorials (vol. ii. p. 193) the reason assigned for this particular sum. "From thence my lord treasurer came to the price; and here he said, that the king would no more rise and fall like a merchant. That he would not have a flower of his crown (meaning the court of wards) so much tossed; that it was too dainty to be so

handled; and then he said, that he must deliver the very countenance and character of the king's mind out of his own handwriting; which before he read, he said he would acquaint us with a pleasant conceit of his majesty. As concerning the number of ninescore thousand pounds, which was our number, he could not affect, because nine was the number of the poets, who were always beggars, though they served so many muses; and eleven was the number of the apostles, when the traitor Judas was away; and therefore might best be affected by his majesty: but there was a mean number, which might accord us both; and that was ten: which, says my lord treasurer, is a sacred number; for so many were God's commandments, which tend to virtue and edification." If the commons really voted twenty thousand pounds a year more, on account of this "pleasant conceit" of the king and the treasurer, it was certainly the best paid wit, for its goodness, that ever was in the world.

Amidst all these attacks, some more, some less violent, on royal prerogative, the king displayed, as openly as ever, all his exalted notions of monarchy and the authority of princes. Even in a speech to the parliament where he begged for supply, and where he should naturally have used every art to ingratiate himself with that assembly, he expressed himself in these terms: "I conclude, then, the point touching the power of kings, with this axiom of divinity, that, as to dispute what God may do, is blasphemy; but what God wills, that divines may lawfully and do ordinarily dispute and discuss. So is it sedition in subjects to dispute what a king may do in the height of his power. But just kings will ever be willing to declare what they will do, if they will not incur the curse of God. I will not be content that my power be disputed upon; but I shall ever be willing to make the reason appear of my doings, and rule my actions according to my laws."[*] Notwithstanding the great extent of prerogative in that age, these expressions would probably give some offence. But we may observe, that, as the king's despotism was more speculative than practical, so the independency of the commons was, at this time, the reverse; and, though strongly supported by their present situation, as well as disposition, was too new and recent to be as yet founded on systematical principles and opinions.[**] 52

This year was distinguished by a memorable event, which gave great alarm and concern in England; the murder of the French monarch by the poniard of the fanatical Ravaillac. With his death, the glory of the French monarchy suffered an eclipse for some years; and as that kingdom fell under an administration weak and bigoted, factious and disorderly, the Austrian greatness began anew to appear formidable to Europe. In England, the antipathy to the Catholics revived a little upon this tragical event; and some of the laws which had formerly been enacted, in order to keep these religionists in awe, began now to be executed with greater rigor and severity.[***]

* King James's Works, p. 531.

** See note ZZ at the end of the volume.

*** Kennet, p. 684.

1611.

Though James's timidity and indolence fixed him, during most of his reign, in a very prudent inattention to foreign affairs, there happened this year an event in Europe of such mighty consequence as to rouse him from his lethargy, and summon up all his zeal and enterprise. A professor of divinity, named Vorstius, the disciple of Arminius was called from a German to a Dutch university; and as he differed from his Britannic majesty in some nice questions concerning the intimate essence and secret decrees of God, he was considered as a dangerous rival in scholastic fame, and was at last obliged to yield to the legions of that royal doctor, whose syllogisms he might have refuted or eluded. If vigor was wanting in other incidents of James's reign, here he behaved even with haughtiness and insolence; and the states were obliged, after several remonstrances, to deprive Vorstius of his chair, and to banish him their dominions.[*] The king carried no further his animosity against that professor; though he had very charitably hinted to the states, "That, as to the burning of Vorstius for his blasphemies and atheism, he left them to their own Christian wisdom; but surely never heretic better deserved the flames."[**] It is to be remarked, that, at this period, all over Europe, except in Holland alone, the practice of burning heretics still prevailed, even in Protestant countries; and instances were not wanting in England during the reign of James.

To consider James in a more advantageous light, we must take a view of him as the legislator of Ireland; and most of the institutions which he had framed for civilizing that kingdom being finished about this period, it may not here be improper to give some account of them. He frequently boasts of the management of Ireland as his masterpiece; and it will appear, upon inquiry, that his vanity in this particular was not altogether without foundation.

After the subjection of Ireland by Elizabeth, the more difficult task still remained; to civilize the inhabitants, to reconcile them to laws and industry, and to render their subjection durable and useful to the crown of England. James proceeded in this work by a steady, regular, and well-concerted plan; and in the space of nine years, according to Sir John Davis, he made greater advances towards the reformation of that kingdom, than had been made in the four hundred and forty years which had elapsed since the conquest was first attempted.[***]

* Kennet, p. 715.

** King James's Works, p. 355.

*** King James's Works, p. 259, edit. 1613.

It was previously necessary to abolish the Irish customs, which supplied the place of laws, and which were calculated to keep that people forever in a state of barbarism and disorder.

By the "Brehon" law or custom, every crime, however enormous, was punished, not with death, but by a fine or pecuniary mulct, which was levied upon the criminal. Murder itself, as among all the ancient barbarous nations, was atoned for in this manner; and each man, according to his rank, had a different rate or value affixed to him, which if any one were willing to pay, he needed not fear assassinating his enemy. This rate was called his "eric." When Sir William Fitzwilliams, being lord deputy, told Maguire, that he was to send a sheriff into Fermannah, which a little before had been made a county, and subjected to the English law; "Your sheriff," said Maguire, "shall be welcome to me: but let me know, beforehand, his eric, or the price of his head, that, if my people cut it off, I may levy the money upon the county."[*] As for oppression, extortion, and other trespasses, so little were they regarded, that no penalty was affixed to them, and no redress for such offences could ever be obtained.

The customs of "gavelkinde" and "tanistry" were attended with the same absurdity in the distribution of property.

1612.

The land, by the custom of gavelkinde, was divided among all the males of the sept, or family, both bastard and legitimate: and, after partition made if any of the sept died, his portion was not shared out among his sons, but the chieftain, at his discretion, made a new partition of all the lands belonging to that sept, and gave every one his share.[**] As no man, by reason of this custom, enjoyed the fixed property of any land; to build, to plant, to enclose, to cultivate, to improve, would have been so much lost labor.

The chieftains and the tanists, though drawn from the principal families, were not hereditary, but were established by election, or, more properly speaking, by force and violence. Their authority was almost absolute; and, notwithstanding that certain lands were assigned to the office, its chief profit resulted from exactions, dues, assessments, for which there was no fixed law, and which were levied at pleasure.[***]

* Sir John Davis, p. 166.

** Sir John Davis, p. 167

*** Sir John Davis, p. 173

Hence arose that common by-word among the Irish, "That they dwelt westward of the law which dwelt beyond the river of the Barrow;" meaning the country where the English inhabited, and which extended not beyond the compass of twenty miles, lying in the neighborhood of Dublin.[*]

After abolishing these Irish customs, and substituting English law in their place, James, having taken all the natives under his protection, and declared them free citizens, proceeded to govern them by a regular administration, military at well as civil.

A small army was maintained, its discipline inspected, and its pay transmitted from England, in order to keep the soldiers from preying upon the country, as had been usual in former reigns. When Odoghartie raised an insurrection, a reënforcement was sent over, and the flames of that rebellion were immediately extinguished.

All minds being first quieted by a general indemnity,[**] circuits were established, justice administered, oppression banished, and crimes and disorders of every kind severely punished.[***] As the Irish had been universally engaged in the rebellion against Elizabeth, a resignation of all the rights which had been formerly granted them to separate jurisdictions, was rigorously exacted; and no authority, but that of the king and the law, was permitted throughout the kingdom.[****]

A resignation of all private estates was even required; and when they were restored, the proprietors received them under such conditions as might prevent, for the future, all tyranny and oppression over the common people. The value of the dues which the nobles usually claimed from their vassals, was estimated at a fixed sum, and all further arbitrary exactions prohibited under severe penalties.[v]

The whole province of Ulster having fallen to the crown by the attainder of rebels, a company was established in London for planting new colonies in that fertile country: the property was divided into moderate shares, the largest not exceeding two thousand acres: tenants were brought over from England and Scotland: the Irish were removed from the hills and fastnesses, and settled in the open country: husbandry and the arts were taught them: a fixed habitation secured: plunder and robbery punished: and by these means, Ulster, from being the most wild and disorderly province of all Ireland, soon became the best cultivated and most civilized.[v*]

* Sir John Davis, p. 237.

** Sir John Davis, p. 263.

*** Sir John Davis, p. 264, 265, etc

**** Sir John Davis, p. 276.

v Sir John Davis, p. 278.

Such were the arts by which James introduced humanity and justice among a people who had ever been buried in the most profound barbarism. Noble cares! much superior to the vain and criminal glory of conquests; but requiring ages of perseverance and attention to perfect what had been so happily begun.

A laudable act of justice was about this time executed in England upon Lord Sanqubir, a Scottish nobleman, who had been guilty of the base assassination of Turner, a fencing master. The English nation, who were generally dissatisfied with the Scots, were enraged at this crime, equally mean and atrocious; but James appeased them, by preferring the severity of law to the intercession of the friends and family of the criminal.[*]

* Kennet, p. 688.

CHAPTER XLVII.

JAMES I.

1612.

This year the sudden death of Henry, prince of Wales, diffused a universal grief throughout the nation. Though youth and royal birth, both of them strong allurements, prepossess men mightily in favor of the early age of princes, it is with peculiar fondness that historians mention Henry, and, in every respect, his merit seems to have been extraordinary. He had not reached his eighteenth year, and he already possessed more dignity in his behavior, and commanded more respect, than his father, with all his age, learning, and experience. Neither his high fortune, nor his youth, had seduced him into any irregular pleasures: business and ambition seem to have been his sole passion. His inclinations, as well as exercises, were martial. The French ambassador, taking leave of him, and asking his commands for France, found him employed in the exercise of the pike: "Tell your king," said he, "in what occupation you left me engaged."[*] He had conceived great affection and esteem for the brave Sir Walter Raleigh. It was his saying, "Sure no king but my father would keep such a bird in a cage."[**]

* The French monarch had given particular orders to his ministers to cultivate the prince's friendship; who must soon, said he, have chief authority in England, where the king and queen are held in so little estimation. See Dep. de la Boderie, vol. i. p. 402, 415; vol. ii p. 16, 349.

** Coke's Detection, p. 37.

He seems indeed to have nourished too violent a contempt for the king, on account of his pedantry and pusillanimity; and by that means struck in with the restless and martial spirit of the English nation. Had he lived, he had probably promoted the glory, perhaps not the felicity, of his people. The unhappy prepossession which men commonly entertain in favor of ambition, courage, enterprise, and other warlike virtues, engages generous natures, who always love fame, in such pursuits all destroy their own peace, and that of the rest of mankind.

Violent reports were propagated, as if Henry had been carried off by poison; but the physicians, on opening his body, found no symptoms to confirm such an opinion.[*] The bold and criminal malignity of men's tongues and pens spared not even the king on the occasion. But that prince's character seems rather to have failed in the extreme of facility and humanity, than in that of cruelty and violence. His indulgence to Henry was great, and perhaps imprudent, by giving him a large and independent settlement, even in so early youth.

* Kennet, p. 690. Coke, p. 37. Welwood, p. 272

1613.

The marriage of the princess Elizabeth with Frederic, elector palatine, was finished some time after the death of the prince, and served to dissipate the grief which arose on that melancholy event. But this marriage, though celebrated with great joy and festivity, proved itself an unhappy event to the king, as well as to his son-in-law, and had ill consequences on the reputation and fortunes of both. The elector, trusting to so great an alliance, engaged in enterprises beyond his strength: and the king, not being able to support him in his distress, lost entirely, in the end of his life, what remained of the affections and esteem of his own subjects.

Except during sessions of parliament, the history of this reign may more properly be called the history of the court, than that of the nation. An interesting object had for some years engaged the attention of the court; it was a favorite, and one beloved by James with so profuse and unlimited an affection, as left no room for any rival or competitor. About the end of the year 1609, Robert Carre, a youth of twenty years of age, and of a good family in Scotland, arrived in London, after having passed some time in his travels. All his natural accomplishments consisted in good looks: all his acquired abilities in an easy air and graceful demeanor. He had letters of recommendation to his countryman Lord Hay; and that nobleman no sooner cast his eye upon him, than he discovered talents sufficient to entitle him immediately to make a great figure in the government. Apprised of the king's passion for youth and beauty, and exterior appearance, he studied how matters might be so managed that this new object should make the strongest impression upon him. Without mentioning him at court, he assigned him the office, at a match of tilting, of presenting to the king his buckler and device; and hoped that he would attract the attention of the monarch. Fortune proved favorable to his design, by an incident which bore at first a contrary aspect. When Carre was advancing to execute his office, his unruly horse flung him, and broke his leg in the king's presence. James approached him with pity and concern: love and affection arose on the sight of his beauty and tender years; and the prince ordered him immediately to be lodged in the palace, and to be carefully attended. He himself, after the tilting, paid him a visit in his chamber, and frequently returned during his confinement. The ignorance and simplicity of the boy finished the conquest begun by his exterior graces and accomplishments. Other princes have been fond of choosing their favorites from among the lower ranks of their subjects, and have reposed themselves on them with the more unreserved confidence and affection, because the object has been beholden to their bounty for every honor and acquisition: James was desirous that his favorite should also derive from him all his sense, experience, and knowledge. Highly conceited of his own wisdom, he pleased himself with the fancy, that this raw youth, by his lessons and instructions, would, in a little time, be equal to his sagest ministers, and be initiated into all the profound mysteries of government, on which he set so high a value. And as this kind of creation was more perfectly his own work than any other, he seems to have indulged an unlimited fondness for his minion, beyond even that which he bore to his own children. He soon knighted him, created him Viscount Rochester, gave him the garter, brought him into the privy council, and, though at first without assigning him any particular office, bestowed on him the supreme direction of all his business and political concerns. Agreeable to this rapid advancement in confidence and honor, were the riches

heaped upon the needy favorite; and while Salisbury and all the wisest ministers could scarcely find expedients sufficient to keep in motion the overburdened machine of government, James, with unsparing hand, loaded with treasures this insignificant and useless pageant.[*]

* Kennet, p. 685, 686, etc.

It is said, that the king found his pupil so ill educated as to be ignorant even of the lowest rudiments of the Latin tongue; and that the monarch, laying aside the sceptre, took the birch into his royal hand, and instructed him in the principles of grammar. During the intervals of this noble occupation, affairs of state, would be introduced; and the stripling, by the ascendant which he had acquired, was now enabled to repay on political, what he had received in grammatical instruction. Such scenes, and such incidents, are the more ridiculous, though the less odious, as the passion of James seems not to have contained in it any thing criminal or flagitious. History charges herself willingly with a relation of the great crimes, and still more with that of the great virtues, of mankind; but she appears to fall from her dignity, when necessitated to dwell on such frivolous events and ignoble personages.

The favorite was not, at first, so intoxicated with advancement, as not to be sensible of his own ignorance and inexperience. He had recourse to the assistance and advice of a friend; and he was more fortunate in his choice than is usual with such pampered minions. In Sir Thomas Overbury he met with a judicious and sincere counsellor; who, building all hopes of his own preferment on that of the young favorite, endeavored to instil into him the principles of prudence and discretion. By zealously serving every body, Carre was taught to abate the envy which might attend his sudden elevation: by showing a preference for the English, he learned to escape the prejudices which prevailed against his country. And so long as he was content to be ruled by Overbury's friendly counsels, he enjoyed—what is rare—the highest favor of the prince, without being hated by the people.

To complete the measure of courtly happiness, nought was wanting but a kind mistress; and, where high fortune concurred with all the graces of youth and beauty, this circumstance could not be difficult to attain. But it was here that the favorite met with that rock on which all his fortunes were wrecked, and which plunged him forever into an abyss of infamy, guilt, and misery.

No sooner had James mounted the throne of England, than he remembered his friendship for the unfortunate families of Howard and Devereux, who had suffered for their attachment to the cause of Mary and to his own. Having restored young Essex to his blood and dignity, and conferred the titles of Suffolk and Northampton on two brothers of the house of Norfolk, he sought the further pleasure of uniting these families by the marriage of the earl of Essex with Lady Frances Howard, daughter of the earl of Suffolk. She was only thirteen, he fourteen years of age; and it was thought proper, till both should attain the age of puberty that he should go abroad, and pass some time in his travels.[*] He returned into England after four years' absence, and was pleased to find his countess in the full lustre of beauty, and possessed of the love and admiration of the whole court. But, when the earl approached, and claimed the privileges of a husband, he met with nothing but symptoms of aversion and disgust, and a flat refusal of any further familiarities. He applied to her parents, who constrained her to attend him into the country, and to partake of his bed: but nothing could overcome her rigid sullenness and obstinacy; and she still rose from his side without having shared the nuptial pleasures. Disgusted with reiterated denials, he at last gave over the pursuit, and separating himself from her, thenceforth abandoned her conduct to her own will and discretion.

Such coldness and aversion in Lady Essex arose not without an attachment to another object. The favorite had opened his addresses, and had been too successful in making impression on the tender heart of the young countess.[**] She imagined that, so long as she refused the

embraces of Essex, she never could be deemed his wife; and that a separation and divorce might still open the way for a new marriage with her beloved Rochester.[***] Though their passion was so violent, and their opportunities of intercourse so frequent, that they had already indulged themselves in all the gratifications of love, they still lamented their unhappy fate, while the union between them was not entire and indissoluble. And the lover, as well as his mistress, was impatient till their mutual ardor should be crowned by marriage.

* Kennet, p. 686.

** Kennet, p. 687.

*** State Trials, vol. i. p. 228.

So momentous an affair could not be concluded without consulting Overbury, with whom Rochester was accustomed to share all his secrets. While that faithful friend had considered his patron's attachment to the countess of Essex merely as an affair of gallantry, he had favored its progress; and it was partly owing to the ingenious and passionate letters which he dictated, that Rochester had met with such success in his addresses. Like an experienced courtier, he thought that a conquest of this nature would throw a lustre on the young favorite, and would tend still further to endear him to James, who was charmed to hear of the amours of his court, and listened with attention to every tale of gallantry. But great was Overbury's alarm, when Rochester mentioned his design of marrying the countess; and he used every method to dissuade his friend from so foolish an attempt. He represented how invidious, how difficult an enterprise to procure her a divorce from her husband: how dangerous, how shameful, to take into his own bed a profligate woman, who, being married to a young nobleman of the first rank, had not scrupled to prostitute her character, and to bestow favors on the object of a capricious and momentary passion. And in the zeal of friendship, he went so far as to threaten Rochester, that he would separate himself forever from him, if he could so far forget his honor and his interest as to prosecute the intended marriage.[*]

Rochester had the weakness to reveal this conversation to the countess of Essex; and when her rage and fury broke out against Overbury, he had also the weakness to enter into her vindictive projects, and to swear vengeance against his friend, for the utmost instance which he could receive of his faithful friendship. Some contrivance was necessary for the execution of their purpose. Rochester addressed himself to the king; and after complaining, that his own indulgence to Overbury had begotten in him a degree of arrogance which was extremely disagreeable, he procured a commission for his embassy to Russia; which he represented as a retreat for his friend, both profitable and honorable. When consulted by Overbury, he earnestly dissuaded him from accepting this offer, and took on himself the office of satisfying the king, if he should be anywise displeased with the refusal.[**] To the king again, he aggravated the insolence of Overbury's conduct, and obtained a warrant for committing him to the Tower, which James intended as a slight punishment for his disobedience. The lieutenant of the Tower was a creature of Rochester's, and had lately been put into the office for this very purpose: he confined Overbury so strictly, that the unhappy prisoner was debarred the sight even of his nearest relations, and no communication of any kind was allowed with him during near six months which he lived in prison.

* State Trials, vol. i. p. 235, 236, 252. Franklyn, p. 14.

** State Trials, vol. i. p. 236, 237, etc.

This obstacle being removed, the lovers pursued their purpose; and the king himself, forgetting the dignity of his character, and his friendship for the family of Essex, entered zealously into the project of procuring the countess a divorce from her husband. Essex also embraced the opportunity of separating himself from a bad woman, by whom he was hated; and he was willing to favor their success by any honorable expedient. The pretence for a divorce was his incapacity to fulfil the conjugal duties; and he confessed that, with regard to the countess, he was conscious of such an infirmity, though he was not sensible of it with regard to any other woman. In her place, too, it is said, a young virgin was substituted under a mask, to undergo a legal inspection by a jury of matrons. After such a trial, seconded by court influence, and supported by the ridiculous opinion of fascination or witchcraft, the sentence of divorce was pronounced between the earl of Essex and his countess.[*] And, to crown the scene, the king, solicitous lest the lady should lose any rank by her new marriage, bestowed on his minion the title of earl of Somerset.

Notwithstanding this success, the countess of Somerset was not satisfied till she should further satiate her revenge on Overbury: and she engaged her husband, as well as her uncle, the earl of Northampton, in the atrocious design of taking him off secretly by poison. Fruitless attempts were reiterated by weak poisons; but at last they gave him one so sudden and violent, that the symptoms were apparent to every one who approached him.[**] His interment was hurried on with the greatest precipitation; and though a strong suspicion immediately prevailed in the public, the full proof of the crime was not brought to light till some years after.

* State Trials, vol. i. p. 223, 224, etc.

** Franklyn's Annais. p. 2, 3, etc.

The fatal catastrophe of Overbury increased or begot the suspicion that the prince of Wales had been carried off by poison given him by Somerset. Men considered not that the contrary inference was much juster. If Somerset was so great a novice in this detestable art, that, during the course of five months, a man who was his prisoner and attended by none but his emissaries, could not be despatched but in so bungling a manner, how could it be imagined, that a young prince, living in his own court, surrounded by his own friends and domestics, could be exposed to Somerset's attempts, and be taken off by so subtile a poison, if such a one exist, as could elude the skill of the most experienced physicians?

The ablest minister that James ever possessed, the earl of Salisbury, was dead.[*] Suffolk, a man of slender capacity, had succeeded him in his office; and it was now his task to supply, from an exhausted treasury, the profusion of James and of his young favorite. The title of baronet, invented by Salisbury, was sold; and two hundred patents of that species of knighthood were disposed of for so many thousand pounds; each rank of nobility had also its price affixed to it:[**] privy seals were circulated to the amount of two hundred thousand pounds: benevolences were exacted to the amount of fifty-two thousand pounds:[***] and some monopolies, of no great value, were erected. But all these expedients proved insufficient to supply the king's necessities; even though he began to enter into some schemes for retrenching his expenses.[****] However small the hopes of success, a new parliament must be summoned, and this dangerous expedient—for such it was now become—once more be put to trial.

1614.

When the commons were assembled, they discovered an extraordinary alarm, on account of the rumor which was spread abroad concerning "undertakers."[v] It was reported, that several persons, attached to the king, had entered into a confederacy; and having laid a regular plan for the new elections, had distributed their interest all over England, and had undertaken to secure

a majority for the court. So ignorant were the commons, that they knew not this incident to be the first infallible symptom of any regular or established liberty. Had they been contented to follow the maxims of their predecessors, who, as the earl of Salisbury said to the last parliament, never, but thrice in six hundred years, refused a supply,[v*] they needed not dread that the crown should ever interest itself in their elections. Formerly the kings even insisted, that none of their household should be elected members; and though the charter was afterwards declared void, Henry VI., from his great favor to the city of York, conferred a peculiar privilege on its citizens, that they should be exempted from this trouble.[v**]

* 14th of May, 1612.

** Franklyn, p. 11, 33.

*** Franklyn, p. 10.

**** Franklyn, p. 49.

v Parliament. Hist. vol. v. p. 286. Kennet, p. 696. Journ. 12th April; 2d May, 1614, etc. Franklyn, p. 48.

v* Journ. 17th Feb. 1609. It appears, however, that Salisbury was somewhat mistaken in this fact; and if the kings were not oftener refused supply by the parliament, it was only because they would not often expose themselves to the hazard of being refused: but it in certain that English parliaments did anciently carry their frugality to an extreme, and seldom could be prevailed upon to give the necessary support to government.

v** Coke's Institutes, part iv. chap. I, of Charters of Exemption.

It is well known, that, in ancient times, a seat in the house being considered as a burden, attended neither with honor nor profit, it was requisite for the counties and boroughs to pay fees to their representatives. About this time, a seat began to be regarded as an honor, and the country gentlemen contended for it; though the practice of levying wages for the parliament men was not altogether discontinued. It was not till long after, when liberty was thoroughly established, and popular assemblies entered into every branch of public business, that the members began to join profit to honor, and the crown found it necessary to distribute among them all the considerable offices of the kingdom.

So little skill, or so small means, had the courtiers in James's reign for managing elections, that this house of commons showed rather a stronger spirit of liberty than the foregoing; and instead of entering upon the business of supply, as urged by the king, who made them several liberal offers of grace,[*] they immediately resumed the subject which had been opened last parliament, and disputed his majesty's power of levying new customs and impositions, by the mere authority of his prerogative. It is remarkable, that, in their debates on this subject, the courtiers frequently pleaded, as a precedent, the example of all the other hereditary monarchs in Europe, and particularly mentioned the kings of France and Spain; nor was this reasoning received by the house either with surprise or indignation.[**] The members of the opposite party either contented themselves with denying the justness of the inference, or they disputed

the truth of the observation.[***] And a patriot member in particular, Sir Roger Owen, even in arguing against the impositions, frankly allowed, that the king of England was endowed with as ample a power and prerogative as any prince in Christendom.[****] The nations on the continent, we may observe, enjoyed still, in that age, some small remains of liberty; and the English were possessed of little more.

* Journ. 11th April, 1614.

** Journ. 21st May, 1614.

*** Journ. 12th, 21st May, 1614.

**** Journ. 18th April, 1614.

The commons applied to the lords for a conference with regard to the new impositions. A speech of Neile, bishop of Lincoln, reflecting on the lower house, begat some altercation with the peers;[*] 53 and the king seized the opportunity of dissolving, immediately, with great indignation, a parliament which had shown so firm a resolution of retrenching his prerogative, without communicating, in return, the smallest supply to his necessities. He carried his resentment so far, as even to throw into prison some of the members who had been the most forward in their opposition to his measures.[**] In vain did he plead, in excuse for this violence, the example of Elizabeth, and other princes of the line of Tudor, as well as Plantagenet. The people and the parliament, without abandoning forever all their liberties and privileges, could acquiesce in none of these precedents, how ancient and frequent soever. And were the authority of such precedents admitted, the utmost that could be inferred is, that the constitution of England was, at that time, an inconsistent fabric, whose jarring and discordant parts must soon destroy each other, and from the dissolution of the old, beget some new form of civil government, more uniform and consistent.

* See note AAA, at the end of the volume.

** Kennet, p. 696.

In the public and avowed conduct of the king and the house of commons, throughout this whole reign, there appears sufficient cause of quarrel and mutual disgust; yet are we not to imagine that this was the sole foundation of that jealousy which prevailed between them. During debates in the house, it often happened that a particular member, more ardent and zealous than the rest, would display the highest sentiments of liberty, which the commons contented themselves to hear with silence and seeming approbation; and the king, informed of these harangues, concluded the whole house to be infected with the same principles, and to be engaged in a combination against his prerogative. The king, on the other hand, though he valued himself extremely on his kingcraft, and perhaps was not altogether incapable of dissimulation, seems to have been very little endowed with the gift of secrecy; but openly at his table, in all companies, inculcated those monarchical tenets which he had so strongly imbibed. Before a numerous audience, he had expressed himself with great disparagement of the common law of England, and had given the preference, in the strongest terms, to the civil law: and for this indiscretion he found himself obliged to apologize, in a speech to the former parliament.[*] As a specimen of his usual liberty of talk, we may mention a story, though it passed some time after, which we meet with in the life of Waller, and which that poet used frequently to repeat. When Waller was young, he had the curiosity to go to court; and he stood

in the circle, and saw James dine; where, among other company, there sat at table two bishops, Neile and Andrews. The king proposed aloud this question, Whether he might not take his subjects' money, when he needed it, without all this formality of parliament? Neile replied, "God forbid you should not: for you are the breath of our nostrils." Andrews declined answering, and said he was not skilled in parliamentary cases: but upon the king's urging him, and saying he would admit of no evasion, the bishop replied pleasantly, "Why, then, I think your majesty may lawfully take my brother Neile's money; for he offers it."[**]

1615.

The favorite had hitherto escaped the inquiry of justice; but he had not escaped that still voice which can make itself be heard amidst all the hurry and flattery of a court, and astonishes the criminal with a just representation of his most secret enormities. Conscious of the murder of his friend, Somerset received small consolation from the enjoyments of love, or the utmost kindness and indulgence of his sovereign. The graces of his youth gradually disappeared, the gayety of his manners was obscured, his politeness and obliging behavior were changed into sullenness and silence. And the king, whose affections had been engaged by these superficial accomplishments, began to estrange himself from a man who no longer contributed to his amusement.

The sagacious courtiers observed the first symptoms of this disgust: Somerset's enemies seized the opportunity, and offered a new minion to the king. George Villiers, a youth of one-and-twenty, younger brother of a good family, returned at this time from his travels, and was remarked for the advantages of a handsome person, genteel air, and fashionable apparel. At a comedy, he was purposely placed full in James's eye, and immediately engaged the attention, and, in the same instant, the affections of that monarch.[***] Ashamed of his sudden attachment, the king endeavored, but in vain, to conceal the partiality which he felt for the handsome stranger; and he employed all his profound politics to fix him in his service, without seeming to desire it.

* King James's Works, p. 532.

** Preface to Waller's Works.

*** Franklyn, p. 50. Kennet, vol. ii. p. 698.

He declared his resolution not to confer any office on him, unless entreated by the queen; and he pretended, that it should only be in complaisance to her choice he would agree to admit him near his person. The queen was immediately applied to; but she, well knowing the extreme to which the king carried these attachments, refused, at first, to lend her countenance to this new passion. It was not till entreated by Abbot, archbishop of Canterbury, a decent prelate, and one much prejudiced against Somerset, that she would condescend to oblige her husband, by asking this favor of him.[*] And the king, thinking now that all appearances were fully saved, no longer constrained his affection, but immediately bestowed the office of cup-bearer on young Villiers.

* Coke, p. 46, 47. Rush, vol. i. p. 456.

The whole court was thrown into parties between the two minions: while some endeavored to advance the rising fortunes of Villiers, others deemed it safer to adhere to the established credit of Somerset. The king himself, divided between inclination and decorum, increased the doubt and ambiguity of the courtiers; and the stern jealousy of the old favorite, who refused every advance of friendship from his rival, begat perpetual quarrels between their several

partisans. But the discovery of Somerset's guilt in the murder of Overbury at last decided the controversy, and exposed him to the ruin and infamy which he so well merited.

An apothecary's apprentice, who had been employed in making up the poisons, having retired to Flushing, began to talk very freely of the whole secret; and the affair at last came to the ears of Trumbal, the king's envoy in the Low Countries. By his means, Sir Ralph Winwood, secretary of state, was informed; and he immediately carried the intelligence to James. The king, alarmed and astonished to find such enormous guilt in a man whom he had admitted into his bosom, sent for Sir Edward Coke, chief justice, and earnestly recommended to him the most rigorous and unbiased scrutiny. This injunction was executed with great industry and severity: the whole labyrinth of guilt was carefully unravelled: the lesser criminals, Sir Jervis Elvis, lieutenant of the Tower, Franklin, Weston, Mrs. Turner, were first tried and condemned: Somerset and his countess were afterwards found guilty. Northampton's death, a little before, had saved him from a like fate.

It may not be unworthy of remark, that Coke, in the trial of Mrs. Turner, told her that she was guilty of the seven deadly sins: she was a whore, a bawd, a sorcerer, a witch, a Papist, a felon, and a murderer.[*] And, what may more surprise us, Bacon, then attorney-general, took care to observe, that poisoning was a Popish trick.[**] Such were the bigoted prejudices which prevailed: poisoning was not of itself sufficiently odious, if it were not represented as a branch of Popery. Stowe tells us, that when the king came to Newcastle, on his first entry into England, he gave liberty to all the prisoners, except those who were confined for treason, murder, and Papistry. When one considers these circumstances, that furious bigotry of the Catholics which broke out in the gunpowder conspiracy, appears the less surprising.

All the accomplices in Overbury's murder received the punishment due to their crime: but the king bestowed a pardon on the principals, Somerset and the countess. It must be confessed, that James's fortitude had been highly laudable, had he persisted in his first intention of consigning over to severe justice all the criminals: but let us still beware of blaming him too harshly, if, on the approach of the fatal hour, he scrupled to deliver into the hands of the executioner persons whom he had once favored with his most tender affections. To soften the rigor of their fate, after some years' imprisonment, he restored them to their liberty, and conferred on them a pension, with which they retired, and languished out old age in infamy and obscurity. Their guilty loves were turned into the most deadly hatred; and they passed many years together in the same house, without any intercourse or correspondence with each other.[***]

Several historians,[****] in relating these events, have insisted much on the dissimulation of James's behavior, when he delivered Somerset into the hands of the chief justice; on the insolent menaces of that criminal; on his peremptory refusal to stand a trial; and on the extreme anxiety of the king during the whole progress of this affair.

* State Trials, vol. i. p. 230.

** State Trials, vol. i. p. 242.

*** Kennet, p. 699.

**** Coke, Weldon, etc.

Allowing all these circumstances to be true, of which some are suspicious, if not palpably false,[*] the great remains of tenderness which James still felt for Somerset, may, perhaps, be sufficient to account for them. That favorite was high-spirited, and resolute rather to perish than live under the infamy to which he was exposed. James was sensible, that the pardoning of

so great a criminal, which was of itself invidious, would become still more unpopular, if his obstinate and stubborn behavior on his trial should augment the public hatred against him.[**] At least, the unreserved confidence in which the king had indulged his favorite for several years, might render Somerset master of so many secrets, that it is impossible, without further light, to assign the particular reason of that superiority which, it is said, he appeared so much to assume.

The fall of Somerset, and his banishment from court, opened the way for Villiers to mount up at once to the full height of favor, of honors, and of riches. Had James's passion been governed by common rules of prudence, the office of cup-bearer would have attached Villiers to his person, and might well have contented one of his age and family; nor would any one, who was not cynically austere, have much censured the singularity of the king's choice in his friends and favorites. But such advancement was far inferior to the fortune which he intended for his minion. In the course of a few years, he created him Viscount Villiers, earl, marquis, and duke of Buckingham, knight of the garter, master of the horse, chief justice in eyre, warden of the cinque ports, master of the king's bench office, steward of Westminster, constable of Windsor, and lord high admiral of England. His mother obtained the title of countess of Buckingham: his brother was created Viscount Purbeck; and a numerous train of needy relations were all pushed up into credit and authority. And thus the fond prince, while he meant to play the tutor to his favorite, and to train him up in the rules of prudence and politics, took an infallible method, by loading him with premature and exorbitant honors, to render him, forever, rash, precipitate, and insolent.

* See Biog. Brit, article Coke, p. 1384.

** Bacon, vol.iv. p. 617.

*** Franklyn, p. 30. Clarendon, 8vo. edit. vol. i. p. 10

1616.

A young minion to gratify with pleasure, a necessitous family to supply with riches, were enterprises too great for the empty exchequer of James. In order to obtain a little money, the cautionary towns must be delivered up to the Dutch; a measure which has been severely blamed by almost all historians; and I may venture to affirm, that it has been censured much beyond its real weight and importance.

When Queen Elizabeth advanced money for the support of the infant republic, besides the view of securing herself against the power and ambition of Spain, she still reserved the prospect of reimbursement; and she got consigned into her hands the three important fortresses of Flushing, the Brille, and Rammekins, as pledges for the money due to her. Indulgent to the necessitous condition of the states, she agreed that the debt should bear no interest; and she stipulated, that if ever England should make a separate peace with Spain, she should pay the troops which garrisoned those fortresses.[*]

After the truce was concluded between Spain and the United Provinces, the states made an agreement with the king, that the debt, which then amounted to eight hundred thousand pounds, should be discharged by yearly payments of forty thousand pounds; and as five years had elapsed, the debt was now reduced to six hundred thousand pounds; and in fifteen years more, if the truce were renewed, it would be finally extinguished.[**]

* Rymer, tom. xvi. p. 341. Winwood, vol. ii. p. 351.

** Sir Dudley Carleton's Letters, p. 27, 28.

But of this sum, twenty-six thousand pounds a year were expended on the pay of the garrisons: the remainder alone accrued to the king: and the states, weighing these circumstances, thought that they made James a very advantageous offer, when they expressed their willingness, on the surrender of the cautionary towns to pay him immediately two hundred and fifty thousand pounds, and to incorporate the English garrisons in their army. It occurred also to the king, that even the payment of the forty thousand pounds a year was precarious, and depended on the accident that the truce should be renewed between Spain and the republic: if war broke out, the maintenance of the garrisons lay upon England alone; a burden very useless, and too heavy for the slender revenues of that kingdom: that even during the truce, the Dutch, straitened by other expenses, were far from being regular in their payments; and the garrisons were at present in danger of mutinying for want of subsistence: that the annual sum of fourteen thousand pounds, the whole saving on the Dutch payments, amounted, in fifteen years, to no more than two hundred and ten thousand pounds; whereas two hundred and fifty thousand pounds were offered immediately, a larger sum; and if money be computed at ten per cent., the current interest more than double the sum to which England was entitled:[*] that if James waited till the whole debt were discharged, the troops which composed the garrisons remained a burden upon him, and could not be broken, without receiving some consideration for their past services: that the cautionary towns were only a temporary restraint upon the Hollanders; and, in the present emergence, the conjunction of interest between England and the republic was so intimate as to render all other ties superfluous; and no reasonable measures for mutual support would be wanting from the Dutch, even though freed from the dependence of these garrisons: that the exchequer of the republic was at present very low, insomuch that they found difficulty, now that the aids of France were withdrawn, to maintain themselves in that posture of defence which was requisite during the truce with Spain: and that the Spaniards were perpetually insisting with the king on the restitution of these towns, as belonging to their crown; and no cordial alliance could ever be made with that nation, while they remained in the hands of the English.[**] These reasons, together with his urgent wants, induced the king to accept of Caron's offer; and he evacuated the cautionary towns, which held the states in a degree of subjection, and which an ambitious and enterprising prince would have regarded as his most valuable possessions. This is the date of the full liberty of the Dutch commonwealth.

* An annuity of fourteen thousand pounds during fifteen years, money being at ten per cent., is worth, on computation, only one hundred and six thousand five hundred pounds; whereas the king received two hundred and fifty thousand pounds. Yet the bargain was good for the Dutch, as well as the king; because they were both of them freed from the maintenance of useless garrisons.

** Rushworth, vol. i. p. 3.

1617.

When the crown of England devolved on James, it might have been foreseen by the Scottish nation, that the independence of their kingdom, the object for which their ancestors had shed so much blood, would now be lost; and that, if both states persevered in maintaining separate laws and parliaments, the weaker would more sensibly feel the subjection, than if it had been totally subdued by force of arms. But these views did not generally occur. The glory of having given a sovereign to their powerful enemy, the advantages of present peace and tranquillity, the riches acquired from the munificence of their master; these considerations secured their dutiful obedience to a prince who daily gave such sensible proofs of his friendship and partiality

towards them. Never had the authority of any king who resided among them, been so firmly established as was that of James, even when absent; and as the administration had been hitherto conducted with great order and tranquillity, there had happened no occurrence to draw thither our attention. But this summer the king was resolved to pay a visit to his native country, in order to renew his ancient friendships and connections, and to introduce that change of ecclesiastical discipline and government on which he was extremely intent. The three chief points of this kind, which James proposed to accomplish by his journey to Scotland, were the enlarging of episcopal authority, the establishing of a few ceremonies in public worship, and the fixing of a superiority in the civil above the ecclesiastical jurisdiction.

But it is an observation suggested by all history, and by none more than by that of James and his successor, that the religious spirit, when it mingles with faction, contains in it something supernatural and unaccountable; and that, in its operations upon society, effects correspond less to their known causes than is found in any other circumstance of government; a reflection which may at once afford a source of blame against such sovereigns as lightly innovate in so dangerous an article, and of apology for such as, being engaged in an enterprise of that nature, are disappointed of the expected event, and fail in their undertakings.

When the Scottish nation was first seized with that zeal for reformation, which, though it caused such disturbance during the time, has proved so salutary in the consequences, the preachers, assuming a character little inferior to the prophetic or apostolical, disdained all subjection to the spiritual rulers of the church, by whom their innovations were punished and opposed. The revenues of the dignified clergy, no longer considered as sacred, were either appropriated by the present possessors, or seized by the more powerful barons; and what remained, after mighty dilapidations, was, by act of parliament, annexed to the crown. The prelates, however, and abbots, maintained their temporal jurisdictions and their seats in parliament; and though laymen were sometimes endowed with ecclesiastical titles, the church, notwithstanding its frequent protestations to the contrary, was still supposed to be represented by those spiritual lords in the states of the kingdom. After many struggles, the king, even before his accession to the throne of England, had acquired sufficient influence over the Scottish clergy, to extort from them an acknowledgment of the parliamentary jurisdiction of bishops; though attended with many precautions, in order to secure themselves against the spiritual encroachments of that order.[*] When king of England, he engaged them, though still with great reluctance on their part, to advance a step further, and to receive the bishops as perpetual presidents or moderators in their ecclesiastical synods; reiterating their protestations against all spiritual jurisdiction of the prelates, and all controlling power over the presbyters.[**] And by such gradual innovations, the king flattered himself that he should quietly introduce episcopal authority: but as his final scope was fully seen from the beginning, every new advance gave fresh occasion of discontent, and aggravated, instead of softening, the abhorrence entertained against the prelacy.

* 1598.

** 1606.

What rendered the king's aim more apparent, were the endeavors which, at the same time, he used to introduce into Scotland some of the ceremonies of the church of England: the rest, it was easily foreseen, would soon follow. The fire of devotion, excited by novelty, and inflamed by opposition, had so possessed the minds of the Scottish reformers, that all rites and ornaments, and even order of worship, were disdainfully rejected as useless burdens; retarding the imagination in its rapturous ecstasies, and cramping the operations of that divine spirit by which they supposed themselves to be animated. A mode of worship was established, the most

naked and most simple imaginable; one that borrowed nothing from the senses, but reposed itself entirely on the contemplation of that divine essence which discovers itself to the understanding only. This species of devotion, so worthy of the Supreme Being, but so little suitable to human frailty, was observed to occasion great disturbances in the breast, and in many respects to confound all rational principles of conduct and behavior. The mind, straining for these extraordinary raptures, reaching them by short glances, sinking again under its own weakness, rejecting all exterior aid of pomp and ceremony, was so occupied in this inward life, that It fled from every intercourse of society, and from every cheerful amusement which could soften or humanize the character. It was obvious to all discerning eyes, and had not escaped the king's, that, by the prevalence of fanaticism, a gloomy and sullen disposition established itself among the people; a spirit obstinate and dangerous; independent and disorderly; animated equally with a contempt of authority, and a hatred to every other mode of religion, particularly to the Catholic. In order to mellow these humors, James endeavored to infuse a small tincture of ceremony into the national worship, and to introduce such rites as might, in some degree, occupy the mind, and please the senses, without departing too far from that simplicity by which the reformation was distinguished. The finer arts too, though still rude in these northern kingdoms, were employed to adorn the churches; and the king's chapel, in which an organ was erected, and some pictures and statues displayed, was proposed as a model to the rest of the nation. But music was grating to the prejudiced ears of the Scottish; clergy; sculpture and painting appeared instruments of idolatry the surplice was a rag of Popery; and every motion or gesture prescribed by the liturgy, was a step towards that spiritual Babylon, so much the object of their horror and aversion. Every thing was deemed impious but their own mystical comments on the Scriptures, which they idolized, and whose Eastern prophetic style they employed in every common occurrence.

It will not be necessary to give a particular account of the ceremonies which the king was so intent to establish. Such institutions, for a time, are esteemed either too divine to have proceeded from any other being than the Supreme Creator of the universe, or too diabolical to have been derived from any but an infernal demon. But no sooner is the mode of the controversy past, than they are universally discovered to be of so little importance, as scarcely to be mentioned with decency amidst the ordinary course of human transactions. It suffices here to remark, that the rites introduced by James regarded the kneeling at the sacrament, private communion, private baptism, confirmation of children, and the observance of Christmas and other festivals.[*]

* Franklyn, p. 25. Spotswood.

The acts establishing these ceremonies were afterwards known by the name of the Articles of Perth, from the place where they were ratified by the assembly.

A conformity of discipline and worship between the churches of England and Scotland, which was James's aim, he never could hope to establish, but by first procuring an acknowledgment of his own authority in all spiritual causes; and nothing could be more contrary to the practice as well as principles of the Presbyterian clergy. The ecclesiastical courts possessed the power of pronouncing excommunication; and that sentence, besides the spiritual consequences supposed to follow from it, was attended with immediate effects of the most important nature. The person excommunicated was shunned by every one as profane and impious; and his whole estate, during his lifetime, and all his movables, forever, were forfeited to the crown. Nor were the previous steps requisite before pronouncing this sentence, formal or regular, in proportion to the weight of it. Without accuser, without summons, without trial, any ecclesiastical court, however inferior, sometimes pretended, in a summary manner, to denounce excommunication, for any cause, and against any person, even though he lived not within the bounds of their

jurisdiction.[*] And, by this means, the whole tyranny of the inquisition, though without its order, was introduced into the kingdom.

But the clergy were not content with the unlimited jurisdiction which they exercised in ecclesiastical matters: they assumed a censorial power over every part of administration; and, in all their sermons, and even prayers, mingling politics with religion, they inculcated the most seditious and most turbulent principles. Black, minister of St. Andrew's, went so far,[**] in a sermon, as to pronounce all kings the devil's children; he gave the queen of England the appellation of atheist; he said, that the treachery of the king's heart was now fully discovered; and in his prayers for the queen he used these words: "We must pray for her for the fashion's sake, but we have no cause: she will never do us any good." When summoned before the privy council, he refused to answer to a civil court for any thing delivered from the pulpit, even though the crime of which he was accused was of a civil nature. The church adopted his cause. They raised a sedition in Edinburgh.[***]

* Spotswood.

** 1596.

*** 17th Dec. 1596.

The king, during some time, was in the hands of the enraged populace; and it was not without courage, as well as dexterity, that he was able to extricate himself.[*] A few days after, a minister, preaching in the principal church of that capital, said, that the king was possessed with a devil; and that, one devil being expelled, seven worse had entered in his place.[**] To which he added, that the subjects might lawfully rise, and take the sword out of his hand. Scarcely, even during the darkest night of Papal superstition, are there found such instances of priestly encroachments, as the annals of Scotland present to us during that period.

By these extravagant stretches of power, and by the patient conduct of James, the church began to lose ground, even before the king's accession to the throne of England; but no sooner had that event taken place, than he made the Scottish clergy sensible that he was become the sovereign of a great kingdom, which he governed with great, authority. Though formerly he would have thought himself happy to have made a fair partition with them of the civil and ecclesiastical authority, he was now resolved to exert a supreme jurisdiction in church as well as state, and to put an end to their seditious practices. An assembly had been summoned at Aberdeen;[***] but, on account of his journey to London, he prorogued it to the year following. Some of the clergy, disavowing his ecclesiastical supremacy, met at the time first appointed, notwithstanding his prohibition. He threw them into prison. Such of them as submitted, and acknowledged their error, were pardoned. The rest were brought to their trial. They were condemned for high treason. The king gave them their lives, but banished them the kingdom. Six of them suffered this penalty.[****]

The general assembly was afterwards induced[v] to acknowledge the king's authority in summoning ecclesiastical courts, and to submit to the jurisdiction and visitation of the bishops Even their favorite sentence of excommunication was declared invalid, unless confirmed by the ordinary. The king recommended to the inferior courts the members whom they should elect to this assembly; and every thing was conducted in it with little appearance of choice and liberty.[v*]

* Spotswood.

** Spotswood.

*** July, 1604.

**** Spotswood.

V 6th June, 1610.

v* Spotswood.

By his own prerogative, likewise, which he seems to have stretched on this occasion, the king erected a court of high commission,[*] in imitation of that which was established in England. The bishops and a few of the clergy, who had been summoned, willingly acknowledged this court; and it proceeded immediately upon business, as if its authority had been grounded on the full consent of the whole legislature.

But James reserved the final blow for the time when he should himself pay a visit to Scotland. He proposed to the parliament, which was then assembled, that they should enact, that "whatever his majesty should determine in the external government of the church, with the consent of the archbishops, bishops, and a competent number of the ministry, should have the force of law."[**] What number should be deemed competent was not determined; and their nomination was left entirely to the king: so that his ecclesiastical authority, had this bill passed, would have been established in its full extent. Some of the clergy protested. They apprehended, they said, that the purity of their church would, by means of this new authority, be polluted with all the rites and liturgy of the church of England. James, dreading clamor and opposition dropped the bill, which had already passed the lords of articles; and asserted, that the inherent prerogative of the crown contained more power than was recognized by it. Some time after, he called, at St. Andrew's, a meeting of the bishops and thirty-six of the most eminent clergy. He there declared his resolution of exerting his prerogative, and of establishing, by his own authority, the few ceremonies which he had recommended to them. They entreated him rather to summon a general assembly, and to gain their assent. An assembly was accordingly summoned to meet on the twenty-fifth of November ensuing.

* 15th Feb. 1610.

** Spotswood. Franklyn, p. 29.

Yet this assembly, which met after the king's departure from Scotland, eluded all his applications; and it was not till the subsequent year, that he was able to procure a vote for receiving his ceremonies. And through every step in this affair, in the parliament as well as in all the general assemblies, the nation betrayed the utmost reluctance to all these innovations, and nothing but James's importunity and authority had extorted a seeming consent, which was belied by the inward sentiments of all ranks of people. Even the few over whom religious prejudices were not prevalent, thought national honor sacrificed by a servile imitation of the modes worship practised in England. And every prudent man agreed in condemning the measures of the king, who, by an ill-timed zeal for insignificant ceremonies, had betrayed, though in an opposite manner, equal narrowness of mind with the persons whom he treated with such contempt. It was judged that, had not these dangerous humors been irritated by opposition; had they been allowed peaceably to evaporate; they would at last have subsided within the limits of law and civil authority; and that, as all fanatical religions naturally circumscribe to very narrow bounds the numbers and riches of the ecclesiastics, no sooner is

their first fire spent, than they lose their credit over the people, and leave them under the natural and beneficent influence of their civil and moral obligations.

At the same time that James shocked, in so violent a manner, the religious principles of his Scottish subjects, he acted in opposition to those of his English. He had observed, in his progress through England, that a Judaical observance of the Sunday, chiefly by means of the Puritans, was every day gaining ground throughout the kingdom; and that the people, under color of religion, were, contrary to former practice debarred such sports, and recreations as contributed both to their health and their amusement.[*] Festivals, which, in other nations and ages, are partly dedicated to public worship, partly to mirth and society, were here totally appropriated to the offices of religion, and served to nourish those sullen and gloomy contemplations to which the people were, of themselves, so unfortunately subject. The king imagined, that it would be easy to infuse cheerfulness into this dark spirit of devotion. He issued a proclamation to allow and encourage, after divine service, all kinds of lawful games and exercises; and, by his authority, he endeavored to give sanction to a practice which his subjects regarded as the utmost instance of profaneness and impiety.[**]

* Kennet, p. 709.

** Franklyn, p. 31.

To show how rigid the English, chiefly the Puritans, were become in this particular, a bill was introduced into the house of commons, in the eighteenth of the king, for the more strict observance of the Sunday, which they affected to the Sabbath. One Shepherd opposed this bill, objected to the appellation of Sabbath as Puritanical, defended dancing by the example of David, and seems even to have justified sports on that day. For this profaneness he was expelled the house, by the suggestion of Mr. Pym the house of lords opposed so far this Puritanical spirit of the commons that they proposed that the appellation of Sabbath should be changed into that of the Lord's day.[*]

* Journ. 15th, 16th, Feb. 1620. 28th May, 1621. In Shepherd's sentence, his offence is said by the house to be great, exorbitant, unparalleled.

CHAPTER XLVIII.

JAMES I.

1618.

At the time when Sir Waller Raleigh was first confined in the Tower, his violent and haughty temper had rendered him the most unpopular man in England; and his condemnation was chiefly owing to that public odium under which he labored. During the thirteen years' imprisonment which he suffered, the sentiments of the nation were much changed with regard to him. Men had leisure to reflect on the hardship, not to say injustice, of his sentence; they pitied his active and enterprising spirit, which languished in the rigors of confinement; they were struck with the extensive genius of the man, who, being educated amidst naval and military enterprises, had surpassed, in the pursuits of literature, even those of the most recluse and sedentary lives; and they admired his unbroken magnanimity, which, at his age, and under his circumstances, could engage him to undertake and execute so great a work as his History of the World. To increase these favorable dispositions, on which he built the hopes of recovering his liberty, he spread the report of a golden mine which he had discovered in Guiana, and which

was sufficient, according to his representation, not only to enrich all the adventurers, but to afford immense treasures to the nation. The king gave little credit to these mighty promises; both because he believed that no such mine as the one described was any where in nature, and because he considered Raleigh as a man of desperate fortunes, whose business it was, by any means, to procure his freedom, and to reinstate himself in credit and authority. Thinking, however, that he had already undergone sufficient punishment, he released him from the Tower; and when his vaunts of the golden mine had induced multitudes to engage with him, the king gave them permission to try the adventure, and, at their desire, he conferred on Raleigh authority over his fellow-adventurers. Though strongly solicited, he still refused to grant him a pardon, which he deemed a natural consequence, when he was intrusted with power and command. But James declared himself still diffident of Raleigh's intentions; and he meant, he said, to reserve the former sentence, as a check upon his future behavior.

Raleigh well knew that it was far from the king's purpose to invade any of the Spanish settlements: he therefore firmly denied that Spain had planted any colonies on that part of the coast where his mine lay. When Gondomar, the ambassador of that nation, alarmed at his preparations, carried complaints to the king, Raleigh still protested the innocence of his intentions; and James assured Gondomar, that he durst not form any hostile attempt, but should pay with his head for so audacious an enterprise. The minister, however, concluding that twelve armed vessels were not fitted out without some purpose of invasion, conveyed the intelligence to the court of Madrid, who immediately gave orders for arming and fortifying all their settlements, particularly those along the coast of Guiana.

When the courage and avarice of the Spaniards and Portuguese had discovered so many new worlds, they were resolved to show themselves superior to the barbarous heathens whom they invaded, not only in arts and arms, but also in the justice of the quarrel: they applied to Alexander VI.., who then filled the papal chair; and he generously bestowed on the Spaniards the whole western, and on the Portuguese the whole eastern part of the globe. The more scrupulous Protestants, who acknowledged not the authority of the Roman pontiff, established the first discovery as the foundation of *their* title; and if a pirate or sea adventurer of their nation had but erected a stick or a stone on the coast, as a memorial of his taking possession, they concluded the whole continent to belong to them, and thought themselves entitled to expel or exterminate, as usurpers, the ancient possessors and inhabitants It was in this manner that Sir Walter Raleigh, about twenty-three years before, had acquired to the crown of England a claim to the continent of Guiana, a region as large as the half of Europe; and though he had immediately left the coast, yet he pretended that the English title to the whole remained certain and indefeasible. But it had happened in the mean time, that the Spaniards, not knowing, or not acknowledging, this imaginary claim, had taken possession of a part of Guiana, had formed a settlement on the River Oronooko, had built a little town called St. Thomas, and were there working some mines of small value.

To this place Raleigh directly bent his course; and, remaining himself at the mouth of the river with five of the largest ships, he sent up the rest to St. Thomas, under the command of his son, and of Captain Keymis, a person entirely devoted to him. The Spaniards, who had expected this invasion, fired on the English at their landing, were repulsed, and pursued into the town. Young Raleigh, to encourage his men, called out, "That this was the true mine, and none but fools looked for any other;" and, advancing upon the Spaniards, received a shot, of which he immediately expired. This dismayed not Keymis and the others. They carried on the attack, got possession of the town, which they afterwards reduced to ashes; and found not in it any thing of value.

Raleigh did not pretend that he had himself seen the mine which he had engaged so many people to go in quest of: it was Keymis, he said, who had formerly discovered it, and had

brought him that lump of ore, which promised such immense treasures. Yet Keymis, who owned that he was within two hours' march of the place, refused, on the most absurd pretences, to take any effectual step towards finding it; and he returned immediately to Raleigh, with the melancholy news of his son's death, and the ill success of the enterprise. Sensible to reproach, and dreading punishment for his behavior, Keymis, in despair, retired into his cabin, and put an end to his own life.

The other adventurers now concluded, that they were deceived by Raleigh; that he never had known of any such mine as he pretended to go in search of; that his intention had ever been to plunder St. Thomas; and having encouraged his company by the spoils of that place, to have thence proceeded to the invasion of the other Spanish settlements; that he expected to repair his ruined fortunes by such daring enterprises; and that he trusted to the money he should acquire, for making his peace with England; or, if that view failed him, that he purposed to retire into some other country, where his riches would secure his retreat.

The small acquisitions gained by the sack of St. Thomas discouraged Raleigh's companions from entering into these views; though there were many circumstances in the treaty and late transactions between the nations, which might invite them to engage in such a piratical war against the Spaniards.

When England made peace with Spain, the example of Henry IV. was imitated, who, at the treaty of Vervins, finding a difficulty in adjusting all questions with regard to the Indian trade, had agreed to pass over that article in total silence.

The Spaniards, having all along published severe edicts against the this silence in their own favor, and considered it as a tacit acquiescence of England in the established laws of Spain. The English, on the contrary, pretended that, as they had never been excluded by any treaty from commerce with any part of the king of Spain's dominions, it was still as lawful for them to trade with his settlements in either Indies, as with his European territories. In consequence of this ambiguity, many adventurers from England sailed to the Spanish Indies, and met with severe punishment when caught; as they, on the other hand, often stole, and when superior in power, forced a trade with the inhabitants, and resisted, nay, sometimes plundered, the Spanish governors. Violences of this nature, which had been carried to a great height on both sides, it was agreed to bury in total oblivion; because of the difficulty which was found in remedying them upon any fixed principles.

But as there appeared a great difference between private adventurers in single ships, and a fleet acting under a royal commission, Raleigh's companions thought it safest to return immediately to England, and carry him along with them to answer for his conduct. It appears that he employed many artifices, first to engage them to attack the Spanish settlements, and, failing of that, to make his escape into France: but, all these proving unsuccessful, he was delivered into the king's hands, and strictly examined, as well as his fellow-adventurers, before the privy council. The council, upon inquiry, found no difficulty in pronouncing, that the former suspicions, with regard to Raleigh's intentions, had been well grounded; that he had abused the king in the representations which he had made of his projected adventure; that, contrary to his instructions, he had acted in an offensive and hostile manner against his majesty's allies; and that he had wilfully burned and destroyed a town belonging to the king of Spain. He might have been tried either by common law, for this act of violence and piracy; or by martial law, for breach of orders: but it was an established principle among lawyers,[*] that, as he lay under an actual attainder for high treason, he could not be brought to a new trial for any other crime. To satisfy, therefore the court of Spain, which raised the loudest complaints against him, the king made use of that power which he had purposely reserved in his own hands, and signed the warrant for his execution upon his former sentence.[**] 54

* See this matter discussed in Bacon's Letters published by Dr Birch, p. 181.

** See note BBB, at the end of the volume.

Raleigh, finding his fate inevitable, collected all his courage and though he had formerly made use of many mean artifices, such as feigning madness, sickness, and a variety of diseases, in order to protract his examination, and procure his escape, he now resolved to act his part with bravery and resolution, "'Tis a sharp remedy," he said, "but a sure one for all ills," when he felt the edge of the axe by which he was to be beheaded.[*] His harangue to the people was calm and eloquent; and he endeavored to revenge himself, and to load his enemies with the public hatred, by strong asseverations of facts, which, to say the least, may be esteemed very doubtful.[**] With the utmost indifference he laid his head upon the block, and received the fatal blow; and in his death there appeared the same great, but ill-regulated mind, which, during his life, had displayed itself in all his conduct and behavior.

* Franklyn, p. 32.

** He asserted, in the most solemn manner, that he had nowise contributed to Essex's death: but the last letter in Murden's Collection contains the strongest proof of the contrary.

No measure of James's reign was attended with more public dissatisfaction than the punishment of Sir Walter Raleigh. To execute a sentence which was originally so hard, which had been so long suspended, and which seemed to have been tacitly pardoned, by conferring on him a new trust and commission, was deemed an instance of cruelty and injustice. To sacrifice to a concealed enemy of England the life of the only man in the nation who had a high reputation for valor and military experience, was regarded as meanness and indiscretion; and the intimate connections which the king was now entering into with Spain, being universally distasteful, rendered this proof of his complaisance still more invidious and unpopular.

James had entertained an opinion, which was peculiar to himself, and which had been adopted by none of his predecessors, that any alliance below that of a great king was unworthy of a prince of Wales; and he never would allow any princess, but a daughter of France or Spain, to be mentioned as a match for his son.[*] This instance of pride, which really implies meanness, as if he could receive honor from any alliance, was so well known, that Spain had founded on it the hopes of governing, in the most important transactions, this monarch, so little celebrated for politics or prudence. During the life of Henry, the king of Spain had dropped some hints of bestowing on that prince his eldest daughter, whom he afterwards disposed of in marriage to the young king of France, Lewis XIII. At that time, the views of the Spaniards were to engage James into a neutrality with regard to the succession of Cleves, which was disputed between the Protestant and Popish line;[**] but the bait did not then take; and James, in consequence of his alliance with the Dutch, and with Henry IV. of France, marched[***] four thousand men, under the command of Sir Edward Cecil, who joined these two powers, and put the marquis of Brandenburgh and the palatine of Newbourg in possession of that duchy.

Gondomar was at this time the Spanish ambassador in England; a man whose flattery was the more artful, because covered with the appearance of frankness and sincerity; whose politics were the more dangerous, because disguised under the mask of mirth and pleasantry. He now made offer of the second daughter of Spain to Prince Charles; and, that he might render the

temptation irresistible to the necessitous monarch, he gave hopes of an immense fortune, which should attend the princess. The court of Spain, though determined to contract no alliance with a heretic,[****] entered into negotiations with James, which they artfully protracted; and, amidst every disappointment, they still redoubled his hopes of success.[v] The transactions in Germany, so important to the Austrian greatness, became every day a new motive for this duplicity of conduct.

* Kennet, p 703, 748

** Rushworth, vol. i. p. 2.

*** 1610.

**** La Boderie, vol. ii. p. 30.

v Franklyn, p, 71.

In that great revolution of manners which happened during the sixteenth and the seventeenth centuries, the only nations who had the honorable, though often melancholy advantage, of making an effort for their expiring privileges, were such as, together with the principles of civil liberty, were animated with a zeal for religious parties and opinions. Besides the irresistible force of standing armies, the European princes possessed this advantage, that they were descended from the ancient royal families; that they continued the same designations of magistrates, the same appearance of civil government; and restraining themselves by all the forms of legal administration, could insensibly impose the yoke on their unguarded subjects. Even the German nations, who formerly broke the Roman chains, and restored liberty to mankind, now lost their own liberty, and saw with grief the absolute authority of their princes firmly established among them. In their circumstances, nothing but a pious zeal, which disregards all motives of human prudence, could have made them entertain hopes of preserving any longer those privileges which their ancestors, through so many ages, had transmitted to them.

As the house of Austria, throughout all her extensive dominions, had ever made religion the pretence for her usurpations, she now met with resistance from a like principle; and the Catholic religion, as usual, had ranged itself on the side of monarchy; the Protestant, on that of liberty. The states of Bohemia, having taken arms against the emperor Matthias, continued their revolt against his successor, Ferdinand, and claimed the observance of all the edicts enacted in favor of the new religion, together with the restoration of their ancient laws and constitution. The neighboring principalities, Silesia, Moravia, Lusatia, Austria, even the kingdom of Hungary, took part in the quarrel; and throughout all these populous and martial provinces, the spirit of discord and civil war had universally diffused itself.[*]

1619.

Ferdinand II., who possessed more vigor and greater abilities, though not more lenity and moderation, than are usual with the Austrian princes, strongly armed himself for the recovery of his authority; and besides employing the assistance of his subjects, who professed the ancient religion, he engaged on his side a powerful alliance of the neighboring potentates. All the Catholic princes of the empire had embraced his defence; even Saxony, the most powerful of the Protestant: Poland had declared itself in his favor;[**] and, above all, the Spanish monarch, deeming his own interest closely connected with that of the younger branch of his family, prepared powerful succors from Italy, and from the Low Countries; and he also advanced large sums for the support of Ferdinand and of the Catholic religion.

* Rushworth, vol. i. p. 7, 8.

** Rushworth, vol. i p. 13,14.

The states of Bohemia, alarmed at these mighty preparations, began also to solicit foreign assistance; and, together with that support which they obtained from the evangelical union in Germany, they endeavored to establish connections with greater princes. They cast their eyes on Frederic, elector palatine. They considered that, besides commanding no despicable force of his own, he was son-in-law to the king of England, and nephew to Prince Maurice, whose authority was become almost absolute in the United Provinces. They hoped that these princes, moved by the connections of blood, as well as by the tie of their common religion, would interest themselves in all the fortunes of Frederic, and would promote his greatness. They therefore made him a tender of their crown, which they considered as elective; and the young palatine, stimulated by ambition, without consulting either James[*] or Maurice, whose opposition he foresaw, immediately accepted the offer, and marched all his forces into Bohemia, in support of his new subjects.

The news of these events no sooner reached England, than the whole kingdom was on fire to engage in the quarrel. Scarcely was the ardor greater, with which all the states of Europe, in former ages, flew to rescue the Holy Land from the dominion of infidels. The nation was as yet sincerely attached to the blood of their monarchs, and they considered their connection with the palatine, who had married a daughter of England, as very close and intimate; and when they heard of Catholics carrying on wars and persecutions against Protestants, they thought their own interest deeply concerned, and regarded their neutrality as a base desertion of the cause of God, and of his holy religion. In such a quarrel they would gladly have marched to the opposite extremity of Europe, have plunged themselves into a chaos of German politics, and have expended all the blood and treasure of the nation, by maintaining a contest with the whole house of Austria, at the very time and in the very place in which it was the most potent, and almost irresistible.

But James, besides that his temper was too little enterprising for such vast undertakings, was restrained by another motive, which had a mighty influence over him: he refused to patronize the revolt of subjects against their sovereign. From the very first, he denied to his son-in-law the title of king of Bohemia.[**]

* Franklyn, p. 49.

** Rushworth, vol. i. p. 12, 13.

He forbade him to be prayed for in the churches under that appellation; and though he owned, that he had nowise examined the pretensions, privileges, and constitution of the revolted states,[*] so exalted was his idea of the rights of kings, that he concluded subjects must ever be in the wrong, when they stood in opposition to those who had acquired or assumed that majestic title. Thus, even in measures founded on true politics, James intermixed so many narrow prejudices, as diminished his authority, and exposed him to the imputation of weakness and of error.

1620.

Meanwhile affairs every where hastened to a crisis. Ferdinand levied a great force, under the command of the duke of Bavaria and the count of Bucquoy, and advanced upon his enemy in Bohemia. In the Low Countries, Spinola collected a veteran army of thirty thousand men. When Edmonds, the king's resident at Brussels, made remonstrances to the archduke Albert, he was

answered, that the orders for this armament had been transmitted to Spinola from Madrid, and that he alone knew the secret destination of it. Spinola again told the minister that his orders were still sealed; but, if Edmonds would accompany him in his march to Coblentz, he would there open them, and give him full satisfaction.[**] It was more easy to see his intentions, than to prevent their success. Almost at one time it was known in England, that Frederic, being defeated in the great and decisive battle of Prague, had fled with his family into Holland, and that Spinola had invaded the Palatinate, and, meeting with no resistance, except from some princes of the union, and from one English regiment of two thousand four hundred men, commanded by the brave Sir Horace Vere,[***] had, in a little time, reduced the greater part of that principality.

* Franklyn, p. 48.

** Franklyn, p. 44. Rushworth, vol. i. p. 14.

*** Franklyn, p. 42, 43. Rushworth, vol. i p. 15. Kennet, p. 723.

High were now the murmurs and complaints against the king's neutrality and inactive disposition. The happiness and tranquillity of their own country became distasteful to the English, when they reflected on the grievances and distresses of their Protestant brethren in Germany. They considered not, that their interposition in the wars of the continent, though agreeable to religious zeal, could not, at that time, be justified by any sound maxims of politics; that, however exorbitant the Austrian greatness, the danger was still too distant to give any just alarm to England; that mighty resistance would yet be made by so many potent and warlike princes and states in Germany, ere they would yield their neck to the yoke; that France, now engaged to contract a double alliance with the Austrian family, must necessarily be soon roused from her lethargy, and oppose the progress of so hated a rival; that, in the further advance of conquests, even the interests of the two branches of that ambitious family must interfere, and beget mutual jealousy and opposition; that a land war, carried on at such a distance, would waste the blood and treasure of the English nation, without any hopes of success; that a sea war, indeed, might be both safe and successful against Spain, but would not affect the enemy in such vital parts as to make them stop their career of success in Germany, and abandon all their acquisitions; and that the prospect of recovering the Palatinate being at present desperate, the affair was reduced to this simple question, whether peace and commerce with Spain, or the uncertain hopes of plunder and of conquest in the Indies, were preferable? a question which, at the beginning of the king's reign, had already been decided, and perhaps with reason, in favor of the former advantages.

James might have defended his pacific measures by such plausible arguments; but these, though the chief, seem not to have been the sole motives which swayed him. He had entertained the notion, that, as his own justice and moderation had shone out so conspicuously throughout all these transactions, the whole house of Austria, though not awed by the power of England, would willingly, from mere respect to his virtue, submit themselves to so equitable an arbitration. He flattered himself that, after he had formed an intimate connection with the Spanish monarch, by means of his son's marriage, the restitution of the Palatinate might be procured from the motive alone of friendship and personal attachment. He perceived not, that his unactive virtue, the more it was extolled, the greater disregard was it exposed to. He was not sensible, that the Spanish match was itself attended with such difficulties, that all his art of negotiation would scarcely be able to surmount them; much less, that this match could in good policy be depended on, as the means of procuring such extraordinary advantages. His unwarlike

disposition, increased by age, rivetted him still faster in his errors, and determined him to seek the restoration of his son-in-law, by remonstrances and entreaties, by arguments and embassies, rather than by blood and violence. And the same defect of courage which held him in awe of foreign nations, made him likewise afraid of shocking the prejudices of his own subjects, and kept him from openly avowing the measures which he was determined to pursue. Or, perhaps, he hoped to turn these prejudices to account; and, by their means, engage his people to furnish him with supplies, of which their excessive frugality had hitherto made them so sparing and reserved.[*]

He first tried the expedient of a benevolence, or free gift, from individuals; pretending the urgency of the case, which would not admit of leisure for any other measure: but the jealousy of liberty was now roused, and the nation regarded these pretended benevolences as real extortions, contrary to law, and dangerous to freedom, however authorized by ancient precedent. A parliament was found to be the only resource which could furnish any large supplies; and writs were accordingly issued for summoning that great council of the nation.[**]

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1621.

In this parliament there appeared, at first, nothing but duty and submission on the part of the commons; and they seemed determined to sacrifice every thing, in order to maintain a good correspondence with their prince. They would allow no mention to be made of the new customs or impositions, which had been so eagerly disputed in the former parliament;[***] the imprisonment of the members of that parliament was here by some complained of; but, by the authority of the graver and more prudent part of the house, that grievance was buried in oblivion;[****] and, being informed that the king had remitted several considerable sums to the palatine, the commons, without a negative, voted him two subsidies;[v] and that too at the very beginning of the session, contrary to the maxims frequently adopted by their predecessors.

* Franklyn, p. 47. Rushworth, vol. i. p. 21

** See note CCC, at the end of the volume.

*** Journ. 5th Dec. 1621.

**** Journ. 12th, 16th Feb. 1620.

v Journ. 16th Feb. 1620.

Afterwards they proceeded, but in a very temperate manner, to the examination of grievances. They found, that patents had been granted to Sir Giles Mompesson and Sir Francis Michel, for licensing inns and alehouses; that great sums of money had been exacted, under pretext of these licenses; and that such innkeepers as presumed to continue their business without satisfying the rapacity of the patentees, had been severely punished by fine, imprisonment, and vexatious prosecutions.

The same persons had also procured a patent, which they shared with Sir Edward Villiers, brother to Buckingham, for the sole making of gold and silver thread and lace, and had obtained very extraordinary powers for preventing any rivalship in these manufactures: they were armed with authority to search for all goods which might interfere with their patent; and even to punish, at their own will and discretion, the makers, importers, and venders of such commodities. Many had grievously suffered by this exorbitant jurisdiction; and the lace which

had been manufactured by the patentees was universally found to be adulterated, and to be composed more of copper than of the precious metals.

These grievances the commons represented to the king and they met with a very gracious and very cordial reception. He seemed even thankful for the information given him; and declared himself ashamed that such abuses, unknowingly to him, had crept into his administration. "I assure you," said he, "had I before heard these things complained of, I would have done the office of a just king, and out of parliament have punished them, as severely, and peradventure more, than you now intend to do."[*] A sentence was passed for the punishment of Michel and Mompesson.[**] It was executed on the former. The latter broke prison and escaped. Villiers was at that time sent purposely on a foreign employment; and his guilt, being less enormous, or less apparent, than that of the others, he was the more easily protected by the credit of his brother Buckingham.[***]

* Franklyn, p. 51. Rushworth, vol. i. p. 25.

** Franklyn, p. 52. Rushworth, vol. i. p. 27.

**** Yelverton, the attorney-general, was accused by the commons for drawing the patents for these monopolies, and for supporting them. He apologized for himself, that he was forced by Buckingham, and that he supposed it to be the king's pleasure. The lords were so offended at these articles of defence, though necessary to the attorney-general, that they fined him ten thousand pounds to the king, five thousand to the duke. The fines, however, were afterwards remitted. Franklyn, p. 55. Rushworth, vol. i. p. 31, 32, etc.

Encouraged by this success, the commons carried their scrutiny, and still with a respectful hand, into other abuses of importance. The great seal was at that time in the hands of the celebrated Bacon, created Viscount St. Albans; a man universally admired for the greatness of his genius, and beloved for the courteousness and humanity of his behavior. He was the great ornament of his age and nation; and nought was wanting to render him the ornament of human nature itself, but that strength of mind which might check his intemperate desire of preferment, that could add nothing to his dignity, and might restrain his profuse inclination to expense, that could be requisite neither for his honor nor entertainment. His want of economy, and his indulgence to servants, had involved him in necessities; and, in order to supply his prodigality, he had been tempted to take bribes, by the title of presents, and that in a very open manner, from suitors in chancery. It appears that it had been usual for former chancellors to take presents; and it is pretended that Bacon, who followed the same dangerous practice, had still, in the seat of justice, preserved the integrity of a judge, and had given just decrees against those very persons from whom he had received the wages of iniquity. Complaints rose the louder on that account, and at last reached the house of commons, who sent up an impeachment against him to the peers. The chancellor, conscious of guilt, deprecated the vengeance of his judges, and endeavored, by a general avowal, to escape the confusion of a stricter inquiry. The lords insisted on a particular confession of all his corruptions. He acknowledged twenty-eight articles; and was sentenced to pay a fine of forty thousand pounds, to be imprisoned in the Tower during the king's pleasure, to be forever incapable of any office, place, or employment, and never again to sit in parliament, or come within the verge of the court.

This dreadful sentence, dreadful to a man of nice sensibility to honor, he survived five years; and being released in a little time from the Tower, his genius, yet unbroken, supported itself amidst involved circumstances and a depressed spirit, and shone out in literary productions which have made his guilt or weaknesses be forgotten or overlooked by posterity. In consideration of his great merit, the king remitted his fine, as well as all the other parts of his sentence, conferred on him a large pension of one thousand eight hundred pounds a year, and employed every expedient to alleviate the weight of his age and misfortunes. And that great philosopher at last acknowledged with regret, that he had too long neglected the true ambition of a fine genius; and by plunging into business and affairs, which require much less capacity, but greater firmness of mind, than the pursuits of learning, had exposed himself to such grievous calamities.[*]

The commons had entertained the idea, that they were the great patrons of the people, and that the redress of all grievances must proceed from them; and to this principle they were chiefly beholden for the regard and consideration of the public. In the execution of this office, they now kept their ears open to complaints of every kind; and they carried their researches into many grievances which, though of no great importance, could not be touched on without sensibly affecting the king and his ministers. The prerogative seemed every moment to be invaded; the king's authority, in every article, was disputed; and James, who was willing to correct the abuses of his power, would not submit to have his power itself questioned and denied. After the house, therefore, had sitten near six months, and had as yet brought no considerable business to a full conclusion, the king resolved, under pretence of the advanced season, to interrupt their proceedings; and he sent them word, that he was determined, in a little time, to adjourn them till next winter. The commons made application to the lords, and desired them to join in a petition for delaying the adjournment; which was refused by the upper house. The king regarded this project of a joint petition as an attempt to force him from his measures: he thanked the peers for their refusal to concur in it; and told them, that, if it were their desire, he would delay the adjournment, but would not so far comply with the request of the lower house.[**] And thus, in these great national affairs, the same peevishness, which, in private altercations, often raises a quarrel from the smallest beginnings, produced a mutual coldness and disgust between the king and the commons.

* It is thought, that appeals from chancery to the house of peers first came into practice while Bacon held the great seal. Appeals, under the form of writs of error, had long before lain against the courts of law. Blackstone's Commentaries, vol. iii. p. 454.

* Rushworth, vol. i. p. 35.

During the recess of parliament, the king used every measure to render himself popular with the nation, and to appease the rising ill humor of their representatives. He had voluntarily offered the parliament to circumscribe his own prerogative, and to abrogate, for the future, his power of granting monopolies. He now recalled all the patents of that kind and redressed every article of grievance, to the number of thirty-seven, which had ever been complained of in the house of commons.[*] But he gained not the end which he proposed. The disgust which had appeared at parting, could not so suddenly be dispelled. He had likewise been so imprudent as to commit to prison Sir Edwin Sandys,[**] without any known cause, besides his activity and vigor in discharging his duty as member of parliament. And, above all, the transactions in Germany were sufficient, when joined to the king's cautions, negotiations, and delays, to inflame that jealousy of honor and religion which prevailed throughout the nation.[***] This

summer, the ban of the empire had been published against the elector palatine; and the execution of it was committed to the duke of Bavaria.[****] The Upper Palatinate was, in a little time, conquered by that prince; and measures were taking in the empire for bestowing on him the electoral dignity, of which the palatine was then despoiled. Frederic now lived with his numerous family, in poverty and distress, either in Holland, or at Sedan with his uncle the duke of Bouillon. And throughout all the new conquests, in both the Palatinates, as well as in Bohemia, Austria, and Lusatia, the progress of the Austrian arms was attended with rigors and severities, exercised against the professors of the reformed religion.

* Rushworth, vol. i. p. 36. Kennet, p. 733.

** Journ. 1st December, 1621.

*** To show to what degree the nation was inflamed with regard to the Palatinate, there occurs a remarkable story this session. One Floyd, a prisoner in the Fleet, a Catholic, had dropped some expressions in private conversation, as if he were pleased with the misfortunes of the palatine and his wife. The commons were in a flame; and, pretending to be a court of judicature and of record, proceeded to condemn him to a severe punishment. The house of lords checked this encroachment; and, what was extraordinary, considering the present humor of the lower house, the latter acquiesced in the sentiments of the peers. This is almost the only pretension of the English commons in which they have not prevailed. Happily for the nation, they have been successful in almost all their other claims. See Parliamentary History, vol. v. p 428, 429, etc. Journ. 4th, 8th, 12th of May, 1621.

**** Franklyn. p. 73.

The zeal of the commons immediately moved them, upon their assembling, to take all these transactions into consideration. They framed a remonstrance, which they intended to carry to the king. They represented, that the enormous growth of the Austrian power threatened the liberties of Europe; that the progress of the Catholic religion in England bred the most melancholy apprehensions, lest it should again acquire an ascendant in the kingdom; that the indulgence of his majesty towards the professors of that religion had encouraged their insolence and temerity; that the uncontrolled conquests made by the Austrian family in Germany, raised mighty expectations in the English Papists; but above all, that the prospect of the Spanish match elevated them so far as to hope for an entire toleration, if not the final reëstablishment of their religion. The commons, therefore, entreated his majesty, that he would immediately undertake the defence of the Palatinate, and maintain it by force of arms; that he would turn his sword against Spain, whose armies and treasures were the chief support of the Catholic interest in Europe that he would enter into no negotiation for the marriage of his son but with a Protestant princess; that the children of Popish recusants should be taken from their parents, and be committed to the care of Protestant teachers and schoolmasters; and that the fines and confiscations to which the Catholics were by law liable, should be levied with the utmost severity.[*]

* Franklyn, p. 58, 59. Rushworth, vol. i. p. 40, 41. Kennet, p. 787.

By this bold step, unprecedented in England for many years, and scarcely ever heard of in peaceable times, the commons attacked at once all the king's favorite maxims of government; his cautious and pacific measures, his lenity towards the Romish religion, and his attachment to the Spanish alliance, from which he promised himself such mighty advantages. But what most disgusted him was, their seeming invasion of his prerogative, and their pretending, under color of advice, to direct his conduct in such points as had ever been acknowledged to belong solely to the management and direction of the sovereign. He was at that time absent at Newmarket; but as soon as he heard of the intended remonstrance of the commons, he wrote a letter to the speaker, in which he sharply rebuked the house for openly debating matters far above their reach and capacity; and he strictly forbade them to meddle with any thing that regarded his government, or deep matters of state, and especially not to touch on his son's marriage with the daughter of Spain, nor to attack the honor of that king, or any other of his friends and confederates. In order the more to intimidate them, he mentioned the imprisonment of Sir Edwin Sandys; and though he denied that the confinement of that member had been owing to any offence committed in the house, he plainly told them, that he thought himself fully entitled to punish every misdemeanor in parliament, as well during its sitting as after its dissolution; and that he intended thenceforward to chastise any man whose insolent behavior there should minister occasion of offence.[*]

This violent letter, in which the king, though he here imitated former precedents, may be thought not to have acted altogether on the defensive, had the effect which might naturally have been expected from it: the commons were inflamed, not terrified. Secure of their own popularity, and of the bent of the nation towards a war with the Catholics abroad, and the persecution of Popery at home, they little dreaded the menaces of a prince who was unsupported by military force, and whose gentle temper would, of itself, so soon disarm his severity. In a new remonstrance, therefore, they still insisted on their former remonstrance and advice; and they maintained, though in respectful terms, that they were entitled to interpose with their counsel in all matters of government; that to possess entire freedom of speech in their debates on public business, was their ancient and undoubted right, and an inheritance transmitted to them from their ancestors; and that if any member abused this liberty, it belonged to the house alone, who were witnesses of his offence, to inflict a proper censure upon him.[**]

So vigorous an answer was nowise calculated to appease the king. It is said, when the approach of the committee who were to present it was notified to him, he ordered twelve chairs to be brought; for that there were so many kings a coming.[***]

* Franklyn, p. 60. Rushworth, vol. i. p. 43. Kennet, p. 741.

** Franklyn, p. 60. Rushworth, vol. i. p. 44. Kennet, p. 741.

*** Kennet, p. 43.

His answer was prompt and sharp. He told the house, that their remonstrance was more like a denunciation of war than an address of dutiful subjects; that their pretension to inquire into all state affairs, without exception, was such a plenipotence as none of their ancestors, even during the reign of the weakest princes, had ever pretended to; that public transactions

depended on a complication of views and intelligence, with which they were entirely unacquainted; that they could not better show their wisdom, as well as duty, than by keeping within their proper sphere;[*] and that in any business which depended on his prerogative, they had no title to interpose with their advice, except when he was pleased to desire it. And he concluded with these memorable words: "And though we cannot allow of your style, in mentioning your ancient and undoubted right and inheritance, but would rather have wished that ye had said, that your privileges were derived from the grace and permission of our ancestors and us, (for the most of them grew from precedents, which shows rather a toleration than inheritance,) yet we are pleased to give you our royal assurance, that as long as you contain yourselves within the limits of your duty, we will be as careful to maintain and preserve your lawful liberties and privileges as ever any of our predecessors were, nay, as to preserve our own royal prerogative."[**]

This open pretension of the king's naturally gave great alarm to the house of commons. They saw their title to every privilege, if not plainly denied, yet considered at least as precarious. It might be fortified by abuse; and they had already abused it. They thought proper, therefore, immediately to oppose pretension to pretension. They framed a protestation, in which they repeated all their former claims for freedom of speech, and an unbounded authority to interpose with their advice and counsel. And they asserted, "That the liberties, franchises, privileges, and jurisdictions of parliament, are the ancient and undoubted birthright and inheritance of the subjects of England."[***]

The king, informed of these increasing heats and jealousies in the house, hurried to town. He sent immediately for the journals of the commons; and, with his own hand, before the council, he tore out this protestation;[****] 56 and ordered his reasons to be inserted in the council-book. He was doubly displeased, he said, with the protestation of the lower house, on account of the manner of framing it, as well as of the matter which it contained.

* "Ne sutor ultra crepidam." This expression is imagined to be insolent and disobliging: but it was a Latin proverb familiarly used on all occasions.

** Franklyn, p, 62, 63, 64. Rushworth, vol. i. p. 46, 47 etc. Kennet, p. 743.

**** See note DDD, at the end of the volume.

It was tumultuously voted, at a late hour, and in a thin house; and it was expressed in such general and ambiguous terms,[*] as might serve for a foundation to the most enormous claims, and to the most unwarrantable usurpations upon his prerogative.[**]

The meeting of the house might have proved dangerous after so violent a breach. It was no longer possible, while men were in such a temper, to finish any business. The king, therefore, prorogued the parliament, and soon after dissolved it by proclamation; in which he also made an apology to the public for his whole conduct.

The leading members of the house, Sir Edward Coke and Sir Robert Philips, were committed to the Tower; Selden Pym, and Mallory, to other prisons. As a lighter punishment, Sir Dudley Digges, Sir Thomas Crew, Sir Nathaniel Rich, Sir James Perrot, joined in commission with others, were sent to Ireland, in order to execute some business.[***] The king at that time enjoyed, at

least exercised, the prerogative of employing any man, even without his consent, in any branch of public service.

Sir John Savile, a powerful man in the house of commons, and a zealous opponent of the court, was made comptroller of the household, a privy counsellor, and soon after a baron.[****] This event is memorable, as being the first instance, perhaps, in the whole history of England, of any king's advancing a man on account of parliamentary interest, and of opposition to his measures. However irregular this practice, it will be regarded by political reasoners as one of the most early and most infallible symptoms of a regular, established liberty.

The king having thus, with so rash and indiscreet a hand, torn off that sacred veil which had hitherto covered the English constitution, and which threw an obscurity upon it so advantageous to royal prerogative, every man began to indulge himself in political reasonings and inquiries; and the same factions which commenced in parliament, were propagated throughout the nation. In vain did James, by reiterated proclamations, forbid the discoursing of state affairs.[v] Such proclamations, if they had any effect, served rather to inflame the curiosity of the public. And in every company or society, the late transactions became the subject of argument and debate.

* Franklyn, p. 65.

** Franklyn, p. 66. Rushworth, vol. i. p. 55.

*** Franklyn, p. 66. Rushworth, vol. i. p. 55.

**** Kennet, p. 749.

v Franklyn, p. 56. Rushworth, vol. i. p. 21, 36, 55. The king also, in imitation of his predecessors, gave rules to preachers.

All history, said the partisans of the court, as well as the history of England, justify the king's position with regard to the origin of popular privileges; and every reasonable man must allow, that as monarchy is the most simple form of government, it must first have occurred to rude and uninstructed mankind. The other complicated and artificial additions were the successive invention of sovereigns and legislators; or, if they were obtruded on the prince by seditious subjects, their origin must appear, on that very account, still more precarious and unfavorable. In England, the authority of the king, in all the exterior forms of government, and in the common style of law, appears totally absolute and sovereign; nor does the real spirit of the constitution, as it has ever discovered itself in practice, fall much short of these appearances. The parliament is created by his will; by his will it is dissolved. It is his will alone, though at the desire of both houses, which gives authority to laws. To all foreign nations, the majesty of the monarch seems to merit sole attention and regard. And no subject who has exposed himself to royal indignation, can hope to live with safety in the kingdom; nor can he even leave it, according to law, without the consent of his master. If a magistrate, environed with such power and splendor, should consider his authority as sacred, and regard himself as the anointed of Heaven, his pretensions may bear a very favorable construction. Or, allowing them to be merely pious frauds, we need not be surprised, that the same stratagem which was practised by Minos, Numa, and the most celebrated legislators of antiquity, should now, in these restless and inquisitive times, be employed by the king of England. Subjects are not raised above that quality, though assembled in parliament. The same humble respect and deference is still due to their prince. Though he indulges them in the privilege of laying before him their domestic

grievances, with which they are supposed to be best acquainted, this warrants not their bold intrusion into every province of government. And, to all judicious examiners, it must appear, "That the lines of duty are as much transgressed by a more independent and less respectful exercise of acknowledged powers, as by the usurpation of such as are new and unusual."[*]

* Franklyn, p. 70. The pulpit was at that time much more dangerous than the press. Few people could read, and still fewer were in the practice of reading.

The lovers of liberty throughout the nation reasoned after a different manner. It is in vain, said they, that the king traces up the English government to its first origin, in order to represent the privileges of parliament as dependent and precarious: prescription, and the practice of so many ages, must, long ere this time, have given a sanction to these assemblies, even though they had been derived from an origin no more dignified than that which he assigns them. If the written records of the English nation, as asserted, represent parliaments to have arisen from the consent of monarchs, the principles of human nature, when we trace government a step higher, must show us, that monarchs themselves owe all their authority to the voluntary submission of the people. But, in fact, no age can be shown, when the English government was altogether an unmixed monarchy; and, if the privileges of the nation have, at any period, been overpowered by violent irruptions of foreign force or domestic usurpation, the generous spirit of the people has ever seized the first opportunity of reëstablishing the ancient government and constitution. Though in the style of the laws, and in the usual forms of administration, royal authority may be represented as sacred and supreme, whatever is essential to the exercise of sovereign and legislative power must still be regarded as equally divine and inviolable. Or, if any distinction be made in this respect, the preference is surely due to those national councils, by whose interposition the exorbitancies of tyrannical power are restrained, and that sacred liberty is preserved, which heroic spirits, in all ages, have deemed more precious than life itself. Nor is it sufficient to say, that the mild and equitable administration of James affords little occasion, or no occasion, of complaint. How moderate soever the exercise of his prerogative, how exact soever his observance of the laws and constitution, "If he founds his authority on arbitrary and dangerous principles, it is requisite to watch him with the same care, and to oppose him with the same vigor, as if he had indulged himself in all the excesses of cruelty and tyranny."

Amidst these disputes, the wise and moderate in the nation endeavored to preserve, as much as possible, an equitable neutrality between the opposite parties; and the more they reflected on the course of public affairs, the greater difficulty they found in fixing just sentiments with regard to them. On the one hand, they regarded the very rise of parties as a happy prognostic of the establishment of liberty; nor could they ever expect to enjoy, in a mixed government, so invaluable a blessing, without suffering that inconvenience which, in such governments, has ever attended it. But when they considered, on the other hand, the necessary aims and pursuits of both parties, they were struck with apprehension of the consequences, and could discover no feasible plan of accommodation between them. From long practice, the crown was now possessed of so exorbitant a prerogative, that it was not sufficient for liberty to remain on the defensive, or endeavor to secure the little ground which was left her: it was become necessary to carry on an offensive war, and to circumscribe, within more narrow, as well as more exact bounds; the authority of the sovereign. Upon such provocation, it could not but happen, that the prince, however just and moderate, would endeavor to repress his opponents; and, as he stood upon the very brink of arbitrary power, it was to be feared that he would, hastily and unknowingly, pass those limits which were not precisely marked by the constitution. The turbulent government of England, ever fluctuating between privilege and prerogative, would

afford a variety of precedents, which might be pleaded on both sides. In such delicate questions, the people must be divided: the arms of the state were still in their hands: a civil war must ensue; a civil war where no party, or both parties, would justly bear the blame and where the good and virtuous would scarcely know what vows to form; were it not that liberty, so necessary to the perfection of human society, would be sufficient to bias their affections towards the side of its defenders.

CHAPTER XLIX.

JAMES I.

1622.

To wrest the Palatinate from the hands of the emperor and the duke of Bavaria, must always have been regarded as a difficult task for the power of England, conducted by so unwarlike a prince as James: it was plainly impossible, while the breach subsisted between him and the commons. The king's negotiations, therefore, had they been managed with ever so great dexterity, must now carry less weight with them; and it was easy to elude all his applications. When Lord Digby, his ambassador to the emperor, had desired a cessation of hostilities, he was referred to the duke of Bavaria, who commanded the Austrian armies. The duke of Bavaria told him, that it was entirely superfluous to form any treaty for that purpose. "Hostilities are already ceased," said he, "and I doubt not but I shall be able to prevent their revival, by keeping firm possession of the Palatinate, till a final agreement shall be concluded between the contending parties."[*]

* Franklyn, p. 57. Rushworth, vol. i. p 38.

Notwithstanding this insult, James endeavored to resume with the emperor a treaty of accommodation; and he opened the negotiations at Brussels, under the mediation of Archduke Albert; and, after his death, which happened about this time, under that of the infanta: when the conferences were entered upon, it was found, that the powers of these princes to determine in the controversy were not sufficient or satisfactory. Schwartzenbourg, the imperial minister, was expected at London; and it was hoped that he would bring more ample authority: his commission referred entirely to the negotiation at Brussels. It was not difficult for the king to perceive that his applications were neglected by the emperor; but as he had no choice of any other expedient, and it seemed the interest of his son-in-law to keep alive his pretensions he was still content to follow Ferdinand through all his shifts and evasions. Nor was he entirely discouraged, even when the imperial diet at Ratisbon, by the influence, or rather authority of the emperor, though contrary to the protestation of Saxony, and of all the Protestant princes and cities, had transferred the electoral dignity from the palatine to the duke of Bavaria.

Meanwhile the efforts made by Frederic for the recovery of his dominions, were vigorous. Three armies were levied in Germany by his authority, under three commanders, Duke, Christian of Brunswick, the prince of Baden-Dourlach, and Count Mansfeldt. The two former generals were defeated by Count Tilly and the imperialists: the third, though much inferior in force to his enemies, still maintained the war; but with no equal supplies of money either from the palatine or the king of England. It was chiefly by pillage and free quarters in the Palatinate, that he subsisted his army. As the Austrians were regularly paid, they were kept in more exact discipline; and James justly became apprehensive, lest so unequal a contest, besides ravaging the palatine's hereditary dominions, would end in the total alienation of the people's affections from their ancient sovereign, by whom they were plundered, and in an attachment to their new

masters, by whom they were protected.[*] He persuaded, therefore, his son-in-law to disarm, under color of duty and submission to the emperor; and, accordingly, Mansfeldt was dismissed from the palatine's service; and that famous general withdrew his army into the Low Countries, and there received a commission from the states of the United Provinces.

To show how little account was made of James's negotiations abroad, there is a pleasantry mentioned by all historians, which, for that reason, shall have place here. In a farce, acted at Brussels, a courier was introduced carrying the doleful news, that the Palatinate would soon be wrested from the house of Austria; so powerful were the succors which, from all quarters, were hastening to the relief of the despoiled elector: the king of Denmark had agreed to contribute to his assistance a hundred thousand pickled herrings, the Dutch a hundred thousand butter-boxes, and the king of England a hundred thousand ambassadors. On other occasions, he was painted with a scabbard, but without a sword, or with a sword which nobody could draw, though several were pulling at it.[**]

* Parl. Hist. vol. v. p. 484.

** Kennet, p. 749.

It was not from his negotiations with the emperor or the duke of Bavaria, that James expected any success in his project of restoring the palatine: his eyes were entirely turned towards Spain; and if he could effect his son's marriage with the infanta, he doubted not but that, after so intimate a conjunction, this other point could easily be obtained. The negotiations of that court being commonly dilatory, it was not easy for a prince of so little penetration in business, to distinguish whether the difficulties which occurred were real or affected; and he was surprised, after negotiating five years on so simple a demand, that he was not more advanced than at the beginning. A dispensation from Rome was requisite for the marriage of the infanta with a Protestant prince; and the king of Spain, having undertaken to procure that dispensation, had thereby acquired the means of retarding at pleasure, or of forwarding the marriage, and at the same time of concealing entirely his artifices from the court of England.

In order to remove all obstacles, James despatched Digby, soon after created earl of Bristol, as his ambassador to Philip IV., who had lately succeeded his father in the crown of Spain. He secretly employed Gage as his agent at Rome, and finding that the difference of religion was the principal, if not the sole difficulty, which retarded the marriage, he resolved to soften that objection as much as possible. He issued public orders for discharging all Popish recusants who were imprisoned; and it was daily apprehended that he would forbid, for the future, the execution of the penal laws enacted against them. For this step, so opposite to the rigid spirit of his subjects, he took care to apologize; and he even endeavored to ascribe it to his great zeal for the reformed religion. He had been making applications, he said, to all foreign princes, for some indulgence to the distressed Protestants; and he was still answered by objections derived from the severity of the English laws against Catholics.[*] It might indeed occur to him, that if the extremity of religious zeal were ever to abate among Christian sects, one of them must begin; and nothing would be more honorable for England, than to have led the way in sentiments so wise and moderate.

* Franklyn p. 69. Rushworth, vol. i. p. 63.

Not only the religious Puritans murmured at this tolerating measure of the king; the lovers of civil liberty were alarmed at so important an exertion of prerogative. But, among other dangerous articles of authority, the kings of England were at that time possessed of the dispensing power; at least, were at the constant practice of exercising it. Besides, though the

royal prerogative in civil matters was then extensive, the princes, during some late reigns, had been accustomed to assume a still greater in ecclesiastical. And the king failed not to represent the toleration of Catholics as a measure entirely of that nature.

By James's concession in favor of the Catholics, he attained his end. The same religious motives which had hitherto rendered the court of Madrid insincere in all the steps taken with regard to the marriage, were now the chief cause of promoting it. By its means, it was there hoped the English Catholics would for the future enjoy ease and indulgence; and the infanta would be the happy instrument of procuring to the church some tranquillity, after the many severe persecutions which it had hitherto undergone. The earl of Bristol, a minister of vigilance and penetration, and who had formerly opposed all alliance with Catholics,[*] was now fully convinced of the sincerity of Spain; and he was ready to congratulate the king on the entire completion of his views and projects.[**] A daughter of Spain, whom he represents as extremely accomplished, would soon, he said, arrive in England, and bring with her an immense fortune of two millions of pieces of eight, or six hundred thousand pounds sterling; a sum four times greater than Spain had ever before given with any princess, and almost equal to all the money which the parliament, during the whole course of this reign, had hitherto granted to the king. But what was of more importance to James's honor and happiness, Bristol considered this match as an infallible prognostic of the palatine's restoration; nor would Philip, he thought, ever have bestowed his sister and so large a fortune, under the prospect of entering next day into a war with England. So exact was his intelligence, that the most secret counsels of the Spaniards, he boasts, had never escaped him;[***] and he found that they had all along considered the marriage of the infanta and the restitution of the Palatinate as measures closely connected, or altogether inseparable.[****]

* Rushworth, vol. i. p. 292.

** Rushworth, vol. i. p. 69.

*** Rushworth, vol. i. p. 272.

**** We find, by private letters between Philip IV. and the Condé Oliarez, shown by the latter to Buckingham, that the marriage and the restitution of the Palatinate were always considered by the court of Spain as inseparable. See Franklyn, p. 71, 72. Rushworth, vol. i. p. 71, 280, 299, 300. Parl. Hist. vol. vi. p. 66.

However little calculated James's character to extort so vast a concession; however improper the measures which he had pursued for attaining that end; the ambassador could not withstand the plain evidence of facts, by which Philip now demonstrated his sincerity. Perhaps, too, like a wise man, he considered, that reasons of state, which are supposed solely to influence the councils of monarchs, are not always the motives which there predominate; that the milder views of gratitude, honor, friendship, generosity, are frequently able, among princes as well as private persons, to counterbalance these selfish considerations; that the justice and moderation of James had been so conspicuous in all these transactions, his reliance on Spain, his confidence in her friendship, that he had at last obtained the cordial alliance of that nation, so celebrated for honor and fidelity. Or, if politics must still be supposed the ruling motive of all public measures, the maritime power of England was so considerable, and the Spanish dominions so divided, as might well induce the council of Philip to think, that a sincere friendship with the masters of the sea could not be purchased by too great concessions.[*] And

as James, during so many years, had been allured and seduced by hopes and protestations, his people enraged by delays and disappointments, it would probably occur, that there was now no medium left between the most inveterate hatred and the most intimate alliance between the nations. Not to mention that, as a new spirit began about this time to animate the councils of France, the friendship of England became every day more necessary to the greatness and security of the Spanish monarch.

All measures being, therefore, agreed on between the parties, nought was wanting but the dispensation from Rome, which might be considered as a mere formality.[**] The king, justified by success, now exulted in his pacific counsels, and boasted of his superior sagacity and penetration; when all these flattering prospects were blasted by the temerity of a man whom he had fondly exalted from a private condition, to be the bane of himself, of his family, and of his people.

* Franklyn, p. 72.

** Rushworth, vol. i. p. 66.

Ever since the fall of Somerset, Buckingham had governed, with an uncontrolled sway, both the court and nation; and could James's eyes have been opened, he had now full opportunity of observing how unfit his favorite was for the high station to which he was raised. Some accomplishments of a courtier he possessed: of every talent of a minister he was utterly destitute. Headlong in his passions, and incapable equally of prudence and of dissimulation; sincere from violence rather than candor; expensive from profusion more than generosity; a warm friend, a furious enemy, but without any choice or discernment in either; with these qualities he had early and quickly mounted to the highest rank; and partook at once of the insolence which attends a fortune newly acquired, and the impetuosity which belongs to persons born in high stations and unacquainted with opposition.

1623.

Among those who had experienced the arrogance of this overgrown favorite, the prince of Wales himself had not been entirely spared; and a great coldness, if not an enmity, had, for that reason, taken place between them. Buckingham, desirous of an opportunity which might connect him with the prince, and overcome his aversion, and, at the same time envious of the great credit acquired by Bristol in the Spanish negotiation, bethought himself of an expedient by which he might at once gratify both these inclinations. He represented to Charles, that persons of his exalted station were peculiarly unfortunate in their marriage, the chief circumstance of life; and commonly received into their arms a bride unknown to them, to whom they were unknown; not endeared by sympathy, not obliged by service; wooed by treaties alone, by negotiations, by political interests: that however accomplished the infanta, she must still consider herself as a melancholy victim of state, and could not but think with aversion of that day when she was to enter the bed of a stranger; and, passing into a foreign country and a new family, bid adieu forever to her father's house and to her native land: that it was in the prince's power to soften all these rigors and lay such an obligation on her, as would attach the most indifferent temper, as would warm the coldest affections: that his journey to Madrid would be an unexpected gallantry, which would equal all the fictions of Spanish romance, and, suiting the amorous and enterprising character of that nation, must immediately introduce him to the princess under the agreeable character of a devoted lover and daring adventurer: that the negotiations with regard to the Palatinate, which had hitherto languished in the hands of ministers, would quickly he terminated by so illustrious an agent, seconded by the mediation and entreaties of the grateful infanta: that Spanish generosity, moved by that unexampled trust and confidence, would make concessions beyond what could be expected

from political views and considerations: and that he would quickly return to the king with the glory of having reëstablished the unhappy palatine, by the same enterprise which procured him the affections and the person of the Spanish princess.[*]

The mind of the young prince, replete with candor, was inflamed by these generous and romantic ideas suggested by Buckingham. He agreed to make application to the king for his approbation. They chose the moment of his kindest and most jovial humor; and, more by the earnestness which they expressed, than by the force of their reasons, they obtained a hasty and unguarded consent to their undertaking. And having engaged his promise to keep their purpose secret, they left him, in order to make preparations for the journey.

No sooner was the king alone, than his temper, more cautious than sanguine, suggested very different views of the matter, and represented every difficulty and danger which could occur. He reflected that however the world might pardon this sally of youth in the prince, they would never forgive himself, who, at his years, and after his experience, could intrust his only son, the heir of his crown, the prop of his age, to the discretion of foreigners, without so much as providing the frail security of a safe-conduct in his favor: that if the Spanish monarch were sincere in his professions, a few months must finish the treaty of marriage, and bring the infanta into England; if he were not sincere, the folly was still more egregious of committing the prince into his hands: that Philip, when possessed of so invaluable a pledge, might well rise in his demands, and impose harder conditions of treaty: and that the temerity of the enterprise was so apparent, that the event, how prosperous soever, could not justify it; and if disastrous, it would render himself infamous to his people, and ridiculous to all posterity.[**]

* Clarendon, vol. i. p. 11, 12.

** Clarendon, vol. i. p. 14.

Tormented with these reflections, as soon as the prince and Buckingham returned for their despatches, he informed them of all the reasons which had determined him to change his resolution; and he begged them to desist from so foolish an adventure. The prince received the disappointment with sorrowful submission and silent tears: Buckingham presumed to speak in an imperious tone, which he had ever experienced to be prevalent over his too easy master. He told the king, that nobody for the future would believe any thing he said, When he retracted so soon the promise so solemnly given; that he plainly discerned this change of resolution to proceed from another breach of his word, in communicating the matter to some rascal, who had furnished him with those pitiful reasons which he had alleged, and he doubted not but he should hereafter know who his counsellor had been; and that if he receded from what he had promised, it would be such a dis-obligation to the prince, who had now set his heart upon the journey, after his majesty's approbation, that he could never forget it, nor forgive any man who had been the cause of it[*]

* Clarendon vol. i. p. 16.

The king, with great earnestness, fortified by many oaths, made his apology, by denying that he had communicated the matter to any; and finding himself assailed, as well by the boisterous importunities of Buckingham, as by the warm entreaties of his son, whose applications had hitherto, on other occasions, been always dutiful, never earnest, he had again the weakness to assent to their purposed journey. It was agreed that Sir Francis Cottington alone, the prince's secretary, and Endymion Porter, gentleman of his bed-chamber, should accompany them; and the former being at that time in the antechamber, he was immediately called in by the king's orders.

James told Cottington, that he had always been an honest man, and therefore he was now to trust him in an affair of the highest importance, which he was not, upon his life, to disclose to any man whatever. "Cottington," added he, "here is baby Charles and Stenny," (these ridiculous appellations he usually gave to the prince and Buckingham,) "who have a great mind to go post into Spain, and fetch home the infanta: they will have but two more in their company, and have chosen you for one. What think you of the journey?" Sir Francis, who was a prudent man, and had resided some years in Spain as the king's agent, was struck with all the obvious objections to such an enterprise, and scrupled not to declare them. The king threw himself upon his bed, and cried, "I told you this before;" and fell into a new passion and new lamentations, complaining that he was undone, and should lose baby Charles.

The prince showed by his countenance, that he was extremely dissatisfied with Cottington's discourse; but Buckingham broke into an open passion against him. The king, he told him, asked him only of the journey, and of the manner of travelling; particulars of which he might be a competent judge, having gone the road so often by post; but that he, without being called to it, had the presumption to give his advice upon matters of state, and against his master, which he should repent as long as he lived. A thousand other reproaches he added, which put the poor king into a new agony in behalf of a servant, who, he foresaw, would suffer for answering him honestly. Upon which he said, with some emotion, "Nay, by God, Stenny, you are much to blame for using him so: he answered me directly to the question which I asked him, and very honestly and wisely; and yet, you know, he said no more than I told you before he was called in." However, after all this passion on both sides, James renewed his consent; and proper directions were given for the journey. Nor was he now at any loss to discover, that the whole intrigue was originally contrived by Buckingham, as well as pursued violently by his spirit and impetuosity.

These circumstances, which so well characterize the persons, seem to have been related by Cottington to Lord Clarendon, from whom they are here transcribed; and though minute, are not undeserving of a place in history.

The prince and Buckingham, with their two attendants, and Sir Richard Graham, master of horse to Buckingham, passed disguised and undiscovered through France; and they even ventured into a court ball at Paris, where Charles saw the princess Henrietta, whom he afterwards espoused, and who was at that time in the bloom of youth and beauty. In eleven days after their departure from London, they arrived at Madrid; and surprised every body by a step so unusual among great princes. The Spanish monarch immediately paid Charles a visit, expressed the utmost gratitude for the confidence reposed in him, and made warm protestations of a correspondent confidence and friendship. By the most studied civilities, he showed the respect which he bore to his royal guest. He gave him a golden key, which opened all his apartments, that the prince might; without any introduction, have access to him at all hours: he took the left hand of him on every occasion, except in the apartments assigned to Charles; for there, he said, the prince was at home: Charles was introduced into the palace with the same pomp and ceremony that attends the kings of Spain on their coronation: the council received public orders to obey him as the king himself.

Olivarez too, though a grandee of Spain, who has the right of being covered before his own king, would not put on his hat in the prince's presence:[*] all the prisons of Spain were thrown open, and all the prisoners received their freedom, as if the event the most honorable and most fortunate had happened to the monarchy:[**] and every sumptuary law with regard to apparel was suspended during Charles's residence in Spain. The infanta, however, was only shown to her lover in public; the Spanish ideas of decency being so strict, as not to allow of any further intercourse, till the arrival of the dispensation.[***]

The point of honor was carried so far by that generous people, that no attempt was made, on account of the advantage which they had acquired, of imposing any harder conditions of treaty: their pious zeal only prompted them, on one occasion, to desire more concessions in the religious articles; but, upon the opposition of Bristol, accompanied with some reproaches, they immediately desisted. The pope, however, hearing of the prince's arrival in Madrid, tacked some new clauses to the dispensation;[****] and it became necessary to transmit the articles to London, that the king might ratify them. This treaty, which was made public, consisted of several articles, chiefly regarding the exercise of the Catholic religion by the infanta and her household. Nothing could reasonably be found fault with, except one article, in which the king promised, that the children should be educated by the princess, till ten years of age. This condition could not be insisted on, but with a view of seasoning their minds with Catholic principles; and though so tender an age seemed a sufficient security against theological prejudices, yet the same reason which made the pope insert that article, should have induced the king to reject it.

Besides the public treaty, there were separate articles, privately sworn to by the king; in which he promised to suspend the penal laws enacted against Catholics, to procure a repeal of them in parliament, and to grant a toleration for the exercise of the Catholic religion in private houses.[v]

* Franklyn, p. 73.

** Franklyn, p. 74.

*** Rushworth, vol. i. p. 77.

**** Rushworth, vol. i. p. 84.

v Franklyn, p. 80. Rushworth, vol. i. p. 89. Kennet, p. 769.

Great murmurs, we may believe, would have arisen against these articles, had they been made known to the public; since we find it to have been imputed as an enormous crime to the prince that, having received, about this time, a very civil letter from the pope, he was induced to return a very civil answer.[*]

Meanwhile Gregory XV., who granted the dispensation, died; and Urban VIII. was chosen in his place. Upon this event, the nuncio refused to deliver the dispensation, till it should be renewed by Urban; and that crafty pontiff delayed sending a new dispensation, in hopes that, during the prince's residence in Spain, some expedient might be fallen upon to effect his conversion. The king of England, as well as the prince, became impatient. On the first hint, Charles obtained permission to return; and Philip graced his departure with all the circumstances of elaborate civility and respect which had attended his reception. He even erected a pillar on the spot where they took leave of each other, as a monument of mutual friendship; and the prince, having sworn to the observance of all the articles, entered on his journey, and embarked on board the English fleet at St. Andero.

The character of Charles, composed of decency, reserve, modesty, sobriety, virtues so agreeable to the manners of the Spaniards; the unparalleled confidence which he had reposed in their nation; the romantic gallantry which he had practised towards the princess; all these circumstances, joined to his youth and advantageous figure, had endeared him to the whole court of Madrid, and had impressed the most favorable ideas of him.[**] But, in the same proportion that the prince was beloved and esteemed, was Buckingham despised and hated.

His behavior, composed of English familiarity and French vivacity; his sallies of passion, his indecent freedoms with the prince, his dissolute pleasures, his arrogant, impetuous temper, which he neither could nor cared to disguise; qualities like these could, most of them, be esteemed nowhere, but to the Spaniards were the objects of peculiar aversion.[***] They could not conceal their surprise, that such a youth could intrude into a negotiation, now conducted to a period by so accomplished a minister as Bristol, and could assume to himself all the merit of it. They lamented the infanta's fate, who must be approached by a man whose temerity seemed to respect no laws, divine or human.[****]

* Rushworth, vol. i. p. 82. Franklyn, p. 77.

** Franklyn, p. 80. Rushworth, vol. i. p. 103.

*** Rushworth, vol. i. p. 101.

**** Clarendon, vol. i. p. 36.

And when they observed, that he had the imprudence to insult the Condé duke of Olivarez, their prime minister, every one who was ambitious of paying court to the Spanish became desirous of showing a contempt for the English favorite.

The duke of Buckingham told Olivarez, that his own attachment to the Spanish nation and to the king of Spain was extreme; that he would contribute to every measure which could cement the friendship between England and them; and that his peculiar ambition would be to facilitate the prince's marriage with the infanta. But he added, with a sincerity equally insolent and indiscreet, "With regard to you, sir, in particular, you must not consider me as your friend, but must ever expect from me all possible enmity and opposition." The Condé duke replied, with a becoming dignity, that he very willingly accepted of what was proffered him: and on these terms the favorites parted.[*]

Buckingham, sensible how odious he was become to the Spaniards, and dreading the influence which that nation would naturally acquire after the arrival of the infanta, resolved to employ all his credit in order to prevent the marriage, By what arguments he could engage the prince to offer such an insult to the Spanish nation, from whom he had met with such generous treatment; by what colors he could disguise the ingratitude and imprudence of such a measure; these are totally unknown to us. We may only conjecture, that the many unavoidable causes of delay which had so long prevented the arrival of the dispensation, had afforded to Buckingham a pretence for throwing on the Spaniards the imputation of insincerity in the whole treaty. It also appears, that his impetuous and domineering character had acquired, what it ever after maintained, a total ascendant over the gentle and modest temper of Charles; and, when the prince left Madrid, he was firmly determined, notwithstanding all his professions, to break off the treaty with Spain.

It is not likely that Buckingham prevailed so easily with James to abandon a project which, during so many years, had been the object of all his wishes, and which he had now unexpectedly conducted to a happy period.[**]

* Rushworth, vol. i. p. 103. Clarendon, vol. i. p. 37.

** Hacket's Life of Williams.

A rupture with Spain, the loss of two millions, were prospects little agreeable to this pacific and indigent monarch. But, finding his only son bent against a match which had always been

opposed by his people and his parliament, he yielded to difficulties which he had not courage or strength of mind sufficient to overcome. The prince, therefore, and Buckingham, on their arrival at London, assumed entirely the direction of the negotiation; and it was their business to seek for pretences by which they could give a color to their intended breach of treaty.

Though the restitution of the Palatinate had ever been considered by James as a natural or necessary consequence of the Spanish alliance, he had always forbidden his ministers to insist on it as a preliminary article to the conclusion of the marriage treaty. He considered, that this principality was now in the hands of the emperor and the duke of Bavaria and that it was no longer in the king of Spain's power, by a single stroke of his pen, to restore it to its ancient master. The strict alliance of Spain with these princes would engage Philip, he thought, to soften so disagreeable a demand by every art of negotiation; and many articles must of necessity be adjusted, before such an important point could be effected. It was sufficient, in James's opinion, if the sincerity of the Spanish court could, for the present, be ascertained; and, dreading further delays of the marriage, so long wished for, he was resolved to trust the palatine's full restoration to the event of future counsels and deliberations.[*]

This whole system of negotiation Buckingham now reversed; and he overturned every supposition upon which the treaty had hitherto been conducted. After many fruitless artifices were employed to delay or prevent the espousals, Bristol received positive orders not to deliver the proxy, which had been left in his hands, or to finish the marriage, till security were given for the full restitution of the Palatinate.[**]

* Parl. Hist. vol. vi. p. 57.

** Rushworth, vol. i. p. 105. Rennet, p. 776.

Philip understood this language. He had been acquainted with the disgust received by Buckingham; and deeming him a man capable of sacrificing to his own ungovernable passions the greatest interests of his master and of his country, his had expected, that the unbounded credit of that favorite would be employed to embroil the two nations. Determined, however to throw the blame of the rupture entirely on the English, he delivered into Bristol's hand a written promise, by which he bound himself to procure the restoration of the Palatinate either by persuasion, or by every other possible means; and when he found that this concession gave no satisfaction, he ordered the infanta to lay aside the title of princess of Wales which she bore after the arrival of the dispensation from Rome, and to drop the study of the English language.[*] Any thinking that such rash counsels as now governed the court of England, would not stop at the breach of the marriage treaty, he ordered preparations for war immediately to be made throughout all his dominions.[**]

Thus James, having, by means inexplicable from the ordinary rules of politics, conducted, so near an honorable period, the marriage of his son and the restoration of his son-in-law, failed at last of his purpose, by means equally unaccountable.

But though the expedients already used by Buckingham were sufficiently inglorious, both for himself and for the nation, it was necessary for him, ere he could fully effect his purpose, to employ artifices still more dishonorable.

1624.

The king, having broken with Spain, was obliged to concert new measures; and, without the assistance of parliament, no effectual step of any kind could be taken. The benevolence which, during the interval, had been rigorously exacted for recovering the Palatinate, though levied for no popular an end, had procured to the king less money than ill will from his subjects.[***] Whatever discouragements, therefore, he might receive from his ill agreement with former parliaments, there was a necessity of summoning once more this assembly: and it might be

hoped, that the Spanish alliance which gave such umbrage, being abandoned, the commons would now be better satisfied with the king's administration. In his speech to the houses, James dropped some hints of his cause of complaint against Spain; and he graciously condescended to ask the advice of parliament, which he had ever before rejected, with regard to the conduct of so important so affair as his son's marriage.[****]

* Franklyn, p. 80. Rushworth, vol. i. p. 112.

** Rushworth, vol. i. p. 114.

*** To show by what violent measures benevolences were usually raised, Johnstone tells us, in his Rerum Britanniearum Historia, that Barnes, a citizen of London, was the first who refused to contribute any thing upon which the treasurer sent him word, that he must immediately prepare himself to carry by post a despatch into Ireland, The citizen was glad to make his peace by paying a hundred pounds. And no one durst afterwards refuse the benevolence required. See further, Coke, p. 80.

**** Franklyn, p. 79. Rushworth, vol. i. p. 115. Kennet, p. 778.

Buckingham delivered to a committee of lords and commons a long narrative, which he pretended to be true and complete, of every step taken in the negotiations with Philip: but, partly by the suppression of some facts, partly by the false coloring laid on others, this narrative was calculated entirely to mislead the parliament, and to throw on the court of Spain the reproach of artifice and insincerity. He said, that, after many years' negotiation, the king found not himself any nearer his purpose; and that Bristol had never brought the treaty beyond general professions and declarations; that the prince, doubting the good intentions of Spain, resolved at last to take a journey to Madrid, and put the matter to the utmost trial; that he there found such artificial dealing as made him conclude all the steps taken towards the marriage to be false and deceitful: that the restitution of the Palatinate, which had ever been regarded by the king as an essential preliminary, was not seriously intended by Spain; and that, after enduring much bad usage, the prince was obliged to return to England, without any hopes, either of obtaining the infanta, or of restoring the elector palatine.[*]

This narrative, which, considering the importance of the occasion, and the solemnity of that assembly to which it was delivered, deserves great blame, was yet vouched for truth by the prince of Wales, who was present; and the king himself lent it, indirectly, his authority, by telling the parliament, that it was by his orders Buckingham laid the whole affair before them. The conduct of these princes it is difficult fully to excuse. It is in vain to plead the youth and inexperience of Charles; unless his inexperience and youth, as is probable,[**] 57 if not certain, really led him into error, and made him swallow all the falsities of Buckingham. And though the king was here hurried from his own measures by the impetuosity of others, nothing should have induced him to prostitute his character, and seem to vouch the impostures, at least false colorings, of his favorite, of which he had so good reason to entertain a suspicion.[***]

* Franklyn, p.89, 90, 91, etc. Rushworth, vol. i. p. 119, 120, etc. Parl. Hist. vol. vi. p. 20, 21, etc.

** See note EEE, at the end of the volume.

*** It must, however, be confessed, that the king afterwards warned the house not to take Buckingham's narrative for his, though it was said before them by his order. Parl. Hist. vol. vi. p. 104. James was probably ashamed to have been carried so far by his favorite.

Buckingham's narrative, however artfully disguised, contained so many contradictory circumstances, as were sufficient to open the eyes of all reasonable men; but it concurred so well with the passions and prejudices of the parliament, that no scruple was made of immediately adopting it.[*] Charmed with having obtained at length the opportunity, so long wished for, of going to war with Papists, they little thought of future consequences; but immediately advised the king to break off both treaties with Spain, as well that which regarded the marriage, as that for the restitution of the Palatinate.[**] The people, ever greedy of war till they suffer by it, displayed their triumph at these violent measures by public bonfires and rejoicings, and by insults on the Spanish ministers. Buckingham was now the favorite of the public and of the parliament. Sir Edward Coke, in the house of commons, called him the savior of the nation.[***] Every place resounded with his praises. And he himself, intoxicated by a popularity which he enjoyed so little time, and which he so ill deserved, violated all duty to his indulgent master, and entered into cabals with the Puritanical members, who had ever opposed the royal authority. He even encouraged schemes for abolishing the order of bishops, and selling the dean and chapter lands, in order to defray the expenses of a Spanish war. And the king, though he still entertained projects for temporizing, and for forming an accommodation with Spain, was so borne down by the torrent of popular prejudices, conducted and increased by Buckingham, that he was at last obliged, in a speech to parliament, to declare in favor of hostile measures, if they would engage to support him.[****] Doubts of their sincerity in this respect, doubts which the event showed not to be ill grounded, had probably been one cause of his former pacific and dilatory measures.

* Parl. Hist. vol. vi. p. 75.

** Franklyn, p. 98. Rushworth, vol. i. p. 128. Parl. Hist. vol. vi. p. 103.

*** Clarendon, vol. i. p. 6.

**** Franklyn, p. 94, 95. Rushworth, vol. i. p. 129, 130.

In his speech on this occasion, the king began with lamenting his own unhappiness, that, having so long valued himself on the epithet of the pacific monarch, he should now, in his old age, be obliged to exchange the blessings of peace for the inevitable calamities of war. He represented to them the immense and continued expense requisite for military armaments; and, besides supplies from time to time, as they should become necessary, he demanded a vote of six subsidies and twelve fifteenths, as a proper stock before the commencement of hostilities. He told them of his intolerable debts, chiefly contracted by the sums remitted to the palatine;[*] 58 but he added, that he did not insist on any supply for his own relief, and that it was sufficient for him if the honor and security of the public were provided for. To remove all suspicion, he, who had ever strenuously maintained his prerogative, and who had even extended it into some points esteemed doubtful, now made an imprudent concession, of which the consequences

might have proved fatal to royal authority; he voluntarily offered, that the money voted should be paid to a committee of parliament, and should be issued by them, without being intrusted to his management.[**] The commons willingly accepted of this concession, so unusual in an English monarch: they voted him only three subsidies and three fifteenths:[***] and they took no notice of the complaints which he made of his own wants and necessities.

Advantage was also taken of the present good agreement between the king and parliament, in order to pass the bill against monopolies, which had formerly been encouraged by the king, but which had failed by the rupture between him and the last house of commons. This bill was conceived in such terms as to render it merely declaratory; and all monopolies were condemned, as contrary to law and to the known liberties of the people. It was there supposed, that every subject of England had entire power to dispose of his own actions, provided he did no injury to any of his fellow subjects; and that no prerogative of the king, no power of any magistrate, nothing but the authority alone of laws, could restrain that unlimited freedom. The full prosecution of this noble principle into all its natural consequences, has at last, through many contests, produced that singular and happy government which we enjoy at present.[****] 59

* See note FFF, at the end of the volume.

** Rushworth, vol. i. p. 137.

*** Less than three hundred thousand pounds.

**** See note GGG, at the end of the volume.

The house of commons also corroborated, by a new precedent, the important power of impeachment, which, two years before, they had exercised in the case of Chancellor Bacon, and which had lain dormant for near two centuries, except when they served as instruments of royal vengeance. The earl of Middlesex had been raised, by Buckingham's interest, from the rank of a London merchant, to be treasurer of England; and, by his activity and address, seemed not unworthy of that preferment. But, as he incurred the displeasure of his patron, by scrupling or refusing some demands of money during the prince's residence in Spain, that favorite vowed revenge, and employed all his credit among the commons to procure an impeachment of the treasurer. The king was extremely dissatisfied with this measure, and prophesied to the prince and duke, that they would live to have their fill of parliamentary prosecutions.[*] In a speech to the parliament, he endeavored to apologize for Middlesex, and to soften the accusation against him.[**] The charge, however, was still maintained by the commons; and the treasurer was found guilty by the peers, though the misdemeanors proved against him were neither numerous nor important. The accepting of two presents of five hundred pounds apiece, for passing two patents, was the article of greatest weight. His sentence was, to be fined fifty thousand pounds for the king's-use, and to suffer all the other penalties formerly inflicted upon Bacon. The fine was afterwards remitted by the prince, when he mounted the throne.

This session, an address was also made, very disagreeable to the king, craving the severe execution of the laws against Catholics. His answer was gracious and condescending;[***] though he declared against persecution, as being an improper measure for the suppression of any religion, according to the received maxim, "That the blood of the martyrs was the seed of the church." He also condemned an entire indulgence of the Catholics; and seemed to represent a middle course as the most humane and most politic. He went so far as even to affirm with an oath, that he never had entertained any thoughts of granting a toleration to these religionists.[****] The liberty of exercising their worship in private houses, which he had

secretly agreed to in the Spanish treaty, did not appear to him deserving that name; and it was probably by means of this explication, he thought that he had saved his honor. And as Buckingham, in his narrative,[v] confessed that the king had agreed to a temporary suspension of the penal laws against the Catholics, which he distinguished from a toleration, (a term at that time extremely odious,) James naturally deemed his meaning to be sufficiently explained, and feared not any reproach of falsehood or duplicity, on account of this asseveration.

* Clarendon, vol. i. p. 23.

** Parl. Hist. vol. vi. p. 19.

*** Franklyn, p. 101, 102.

**** See, further, Franklyn, p. 87.

v Parl. Hist. vol. vi. p. 37.

After all these transactions, the parliament was prorogued by the king, who let fall some hints, though in gentle terms, of the sense which he entertained of their unkindness in not supplying his necessities.[*]

* Franklyn, p. 103.

James, unable to resist so strong a combination as that of his people, his parliament, his son, and his favorite, had been compelled to embrace measures for which, from temper as well as judgment, he had ever entertained a most settled aversion. Though he dissembled his resentment, he began to estrange himself from Buckingham, to whom he ascribed all those violent counsels, and whom he considered as the author, both of the prince's journey to Spain, and of the breach of the marriage treaty. The arrival of Bristol he impatiently longed for; and it was by the assistance of that minister, whose wisdom he respected, and whose views he approved, that he hoped in time to extricate himself from his present difficulties.

During the prince's abode in Spain, that able negotiator had ever opposed, though unsuccessfully, to the impetuous measures suggested by Buckingham, his own wise and well-tempered counsels. After Charles's departure, he still, upon the first appearance of a change of resolution, interposed his advice, and strenuously insisted on the sincerity of the Spaniards in the conduct of the treaty, as well as the advantages which England must reap from the completion of it. Enraged to find that his successful labors should be rendered abortive by the levities and caprices of an insolent minion, he would understand no hints; and nothing but express orders from his master could engage him to make that demand which, he was sensible, must put a final period to the treaty. He was not, therefore, surprised to hear that Buckingham had declared himself his open enemy, and, on all occasions, had thrown out many violent reflections against him.

Nothing could be of greater consequence to Buckingham than to keep Bristol at a distance both from the king and the parliament; lest the power of truth, enforced by so well-informed a speaker, should open scenes which were but suspected by the former, and of which the latter had as yet entertained no manner of jealousy. He applied therefore to James, whose weakness, disguised to himself under the appearance of finesse and dissimulation, was now become absolutely incurable. A warrant for sending Bristol to the Tower was issued immediately upon his arrival in England;[*] and though he was soon released from confinement, yet orders were carried him from the king, to retire to his country seat, and to abstain from all attendance in

parliament He obeyed; but loudly demanded an opportunity of justifying himself, and of laying his whole conduct before his master. On all occasions, he protested his innocence, and threw on his enemy the blame of every miscarriage. Buckingham, and, at his instigation, the prince, declared that they would be reconciled to Bristol, if he would but acknowledge his errors and ill conduct: but the spirited nobleman, jealous of his honor, refused to buy favor at so high a price. James had the equity to say, that the insisting on that condition was a strain of unexampled tyranny: but Buckingham scrupled not to assert, with his usual presumption, that neither the king, the prince, nor himself, were as yet satisfied of Bristol's innocence.[**]

While the attachment of the prince to Buckingham, while the timidity of James or the shame of changing his favorite, kept the whole court in awe, the Spanish ambassador, Inoiosa, endeavored to open the king's eyes, and to cure his fears by instilling greater fears into him. He privately slipped into his hand a paper, and gave him a signal to read it alone. He there told him, that he was as much a prisoner at London as ever Francis I. was at Madrid; that the prince and Buckingham had conspired together, and had the whole court at their devotion; that cabals among the popular leaders in parliament were carrying on, to the extreme prejudice of his authority; that the project was to confine him to some of his hunting seats, and to commit the whole administration to Charles; and that it was necessary for him, by one vigorous effort, to vindicate his authority, and to punish those who had so long and so much abused his friendship and beneficence.[***]

* Rushworth, vol. i. p. 145.

** Rushworth, vol. i. p. 259.

*** Rushworth, vol. i. p. 144. Hacket's Life of Williams. Coke p. 107.

What credit James gave to this representation does not appear. He only discovered some faint symptoms, which he instantly retracted, of dissatisfaction with Buckingham. All his public measures, and all the alliances into which he entered, were founded on the system of enmity to the Austrian family, and of war to be carried on for the recovery of the Palatinate.

The states of the United Provinces were at this time governed by Maurice; and that aspiring prince, sensible that his credit would languish during peace, had, on the expiration of the twelve years' truce, renewed the war with the Spanish monarchy. His great capacity in the military art would have compensated the inferiority of his forces, had not the Spanish armies been commanded by Spinola, a general equally renowned for conduct, and more celebrated for enterprise and activity. In such a situation, nothing could, be more welcome to the republic than the prospect of a rupture between James and the Catholic king; and they flattered themselves, as well from the natural union of interests between them and England, as from the influence of the present conjuncture, that powerful succors would soon march to their relief. Accordingly an army of six thousand men was levied in England, and sent over to Holland, commanded by four young noblemen, Essex, Oxford, Southampton, and Willoughby, who were ambitious of distinguishing themselves in so popular a cause, and of acquiring military experience under so renowned a captain as Maurice.

It might reasonably have been expected, that, as religious zeal had made the recovery of the Palatinate appear a point of such vast importance in England, the same effect must have been produced in France, by the force merely of political views and considerations. While that principality remained in the hands of the house of Austria, the French dominions were surrounded on all sides by the possessions of that ambitious family, and might be invaded by superior forces from every quarter. It concerned the king of France, therefore, to prevent the

peaceable establishment of the emperor in his new conquests; and both by the situation and greater power of his state, he was much better enabled than James to give succor to the distressed palatine.[*]

* See Collection of State Papers by the earl of Clarendon, p. 302.

But though these views escaped not Louis, nor Cardinal Richelieu, who now began to acquire an ascendant in the French court, that minister was determined to pave the way for his enterprises by first subduing the Hugonots, and thence to proceed, by mature counsels, to humble the house of Austria. The prospect, however, of a conjunction with England was presently embraced, and all imaginable encouragement was given to every proposal for conciliating a marriage between Charles and the princess Henrietta.

Notwithstanding the sensible experience which James might have acquired of the unsurmountable antipathy entertained by his subjects against an alliance with Catholics, he still persevered in the opinion, that his son would be degraded by receiving into his bed a princess of less than royal extraction. After the rupture, therefore, with Spain, nothing remained but an alliance with France; and to that court he immediately applied himself.[*] The same allurements had not here place, which had so long entangled him in the Spanish negotiation: the portion promised was much inferior; and the peaceable restoration of the palatine could not thence be expected. But James was afraid lest his son should be altogether disappointed of a bride; and therefore, as soon as the French king demanded, for the honor of his crown, the same terms which had been granted to the Spanish, he was prevailed with to comply. And as the prince, during his abode in Spain, had given a verbal promise to allow the infanta the education of her children till the age of thirteen, this article was here inserted in the treaty; and to that imprudence is generally imputed the present distressed condition of his posterity. The court of England, however, it must be confessed, always pretended, even in their memorials to the French court that all the favorable conditions granted to the Catholics, were inserted in the marriage treaty merely to please the pope, and that their strict execution was, by an agreement with France, secretly dispensed with.[**] 60

* Rushworth, vol. i. p. 152.

** See note HHH, at the end of the volume.

As much as the conclusion of the marriage treaty was acceptable to the king, as much were all the military enterprises disagreeable, both from the extreme difficulty of the undertaking in which he was engaged, and from his own incapacity for such a scene of action.

During the Spanish negotiation, Heidelberg and Manheim had been taken by the imperial forces; and Frankendale, though the garrison was entirely English, was closely besieged by them. After reiterated remonstrances from James, Spain interposed, and procured a suspension of arms during eighteen months. But as Frankendale was the only place of Frederic's ancient dominions which was still in his hands, Ferdinand, desirous of withdrawing his forces from the Palatinate, and of leaving that state in security was unwilling that so important a fortress should remain in the possession of the enemy. To compromise all differences, it was agreed to sequestrate it into the hands of the infanta as a neutral person; upon condition that, after the expiration of the truce, it should be delivered to Frederic; though

peace should not, at that time, be concluded between him and Ferdinand.[*] After the unexpected rupture with Spain, the infanta, when James demanded the execution of the treaty, offered him peaceable possession of Frankendale, and even promised a safe-conduct for the garrison through the Spanish Netherlands: but there was some territory of the empire interposed between her state and the Palatinate; and for passage over that territory, no terms were stipulated.[**] By this chicane, which certainly had not been employed if amity with Spain had been preserved, the palatine was totally dispossessed of his patrimonial dominions.

* Rushworth, vol. i. p. 74.

** Rushworth, vol. i. p. 151.

The English nation, however, and James's warlike council, were not discouraged. It was still determined to reconquer the Palatinate; a state lying in the midst of Germany, possessed entirely by the emperor and duke of Bavaria, surrounded by potent enemies, and cut off from all communication with England. Count Mansfeldt was taken into pay; and an English army of twelve thousand foot and two hundred horse was levied by a general press throughout the kingdom. During the negotiation with France, vast promises had been made, though in general terms, by the French ministry; not only that a free passage should be granted to the English troops, but that powerful succors should also join them in their march towards the Palatinate. In England, all these professions were hastily interpreted to be positive engagements. The troops under Mansfeldt's command were embarked at Dover; but, upon sailing over to Calais, found no orders yet arrived for their admission. After waiting in vain during some time, they were obliged to sail towards Zealand, where it had also been neglected to concert proper measures for their disembarkation; and some scruples arose among the states on account of the scarcity of provisions. Meanwhile a pestilential distemper crept in among the English forces, so long cooped up in narrow vessels. Half the army died while on board; and the other half, weakened by sickness, appeared too small a body to march into the Palatinate.[*]

1625.

And thus ended this ill-concerted and fruitless expedition; the only disaster which happened to England during the prosperous and pacific reign of James.

That reign was now drawing towards a conclusion. With peace, so successfully cultivated, and so passionately loved by this monarch, his life also terminated. This spring, he was seized with a tertian ague; and, when encouraged by his courtiers with the common proverb, that such a distemper, during that season, was health for a king, he replied, that the proverb was meant of a young king. After some fits, he found himself extremely weakened, and sent for the prince, whom he exhorted to bear a tender affection for his wife, but to preserve a constancy in religion; to protect the church of England; and to extend his care towards the unhappy family of the palatine.[**] With decency and courage, he prepared himself for his end; and he expired on the twenty-seventh of March, after a reign over England of twenty-two years and some days, and in the fifty-ninth year of his age. His reign over Scotland was almost of equal duration with his life. In all history, it would be difficult to find a reign less illustrious, yet more unspotted and unblemished, than that of James in both kingdoms.

* Franklyn, p. 104. Rushworth, vol. i. p. 154. Dugdale, p. 24.

** Rushworth, vol. i. p. 155.

No prince, so little enterprising and so inoffensive, was ever so much exposed to the opposite extremes of calumny and flattery, of satire and panegyric. And the factions which began in his time, being still continued, have made his character be as much disputed to this day, as is commonly that of princes who are our contemporaries. Many virtues, however, it must be owned, he was possessed of, but scarce any of them pure, or free from the contagion of the neighboring vices. His generosity bordered on profusion, his learning on pedantry, his pacific disposition on pusillanimity, his wisdom on cunning, his friendship on light fancy and boyish fondness. While he imagined that he was only maintaining his own authority, he may, perhaps, be suspected, in a few of his actions, and still more of his pretensions, to have somewhat encroached on the liberties of his people: while he endeavored, by an exact neutrality, to acquire the good will of all his neighbors, he was able to preserve fully the esteem and regard of none. His capacity was considerable; but fitter to discourse on general maxims, than to conduct any intricate business: his intentions were just; but more adapted to the conduct of private life than to the government of kingdoms. Awkward in his person, and ungainly in his manners, he was ill qualified to command respect; partial and undiscerning in his affections, he was little fitted to acquire general love. Of a feeble temper, more than of a frail judgment; exposed to our ridicule from his vanity; but exempt from our hatred by his freedom from pride and arrogance. And, upon the whole, it may be pronounced of his character, that all his qualities were sullied with weakness and embellished by humanity. Of political courage he certainly was destitute; and thence, chiefly, is derived the strong prejudice which prevails against his personal bravery; an inference, however, which must be owned, from general experience, to be extremely fallacious.

He was only once married, to Anne of Denmark, who died on the third of March, 1619, in the forty-fifth year of her age; a woman eminent neither for her vices nor her virtues. She loved shows and expensive amusements, but possessed little taste in her pleasures. A great comet appeared about the time of her death; and the vulgar esteemed it the prognostic of that event: so considerable in their eyes are even the most insignificant princes.

He left only one son, Charles, then in the twenty-fifth year of his age; and one daughter, Elizabeth, married to the elector palatine. She was aged twenty-nine years. Those alone remained of six legitimate children born to him. He never had any illegitimate; and he never discovered any tendency, even the smallest, towards a passion for any mistress.

The archbishops of Canterbury during this reign were Whitgift, who died in 1604; Bancroft, in 1610; Abbot, who survived the king. The chancellors, Lord Ellesmore, who resigned in 1617; Bacon was first lord keeper till 1619; then was created chancellor, and was displaced in 1621: Williams, bishop of Lincoln, was created lord keeper in his place. The high treasurers were the earl of Dorset, who died in 1609, the earl of Salisbury, in 1612; the earl of Suffolk, fined and displaced for bribery in 1618. Lord Mandeville resigned in 1621, the earl of Middlesex, displaced in 1624; the earl of Marlborough succeeded. The lord admirals were, the earl of Nottingham, who resigned in 1618; the earl, afterwards duke of Buckingham. The secretaries of state were, the earl of Salisbury, Sir Ralph Winwood, Nanton, Calvert, Lord Conway, Sir Albertus Moreton.

The numbers of the house of lords, in the first parliament of this reign, were seventy-eight temporal peers. The numbers in the first parliament of Charles were ninety-seven. Consequently James, during that period, created nineteen new peerages above those that expired.

The house of commons, in the first parliament of this reign, consisted of four hundred and sixty-seven members. It appears that four boroughs revived their charters, which they had formerly neglected. And as the first parliament of Charles consisted of four hundred and ninety-four members, we may infer that James created ten new boroughs.

APPENDIX TO THE REIGN OF JAMES I.

This history of the house of Stuart was written and published by the author before the history of the house of Tudor. Hence it happens that some passages, particularly in the present Appendix, may seem to be repetitions of what was formerly delivered in the reign of Elizabeth. The author, in order to obviate this objection, has cancelled some few passages in the foregoing chapters.

It may not be improper, at this period, to make a pause, and to take a survey of the state of the kingdom with regard to government, manners, finances, arms, trade, learning. Where a just notion is not formed of these particulars, history can be little instructive, and often will not be intelligible.

We may safely pronounce that the English government, at the accession of the Scottish line, was much more arbitrary than it is at present; the prerogative less limited, the liberties of the subject less accurately defined and secured. Without mentioning other particulars, the courts alone of high commission and star chamber were sufficient to lay the whole kingdom at the mercy of the prince.

The court of high commission had been erected by Elizabeth, in consequence of an act of parliament passed in the beginning of her reign: by this act it was thought proper during the great revolution of religion, to arm the sovereign with full powers, in order to discourage and suppress opposition. All appeals from the inferior ecclesiastical courts were carried before the high commission; and, of consequence, the whole life and doctrine of the clergy lay directly under its inspection. Every breach of the act of uniformity, every refusal of the ceremonies, was cognizable in this court; and, during the reign of Elizabeth, had been punished by deprivation, by fine, confiscation, and imprisonment. James contented himself with the gentler penalty of deprivation; nor was that punishment inflicted with rigor on every offender. Archbishop Spotswood tells us, that fee was informed by Bancroft, the primate, several years after the king's accession, that not above forty-five clergymen had then been deprived. All the Catholics, too, were liable to be punished by this court, if they exercised any act of their religion, or sent abroad their children or other relations to receive that education which they could not procure them in their own country. Popish priests were thrown into prison, and might be delivered over to the law, which punished them with death; though that severity had been sparingly exercised by Elizabeth, and never almost by James. In a word, that liberty of conscience, which we so highly and so justly value at present, was totally suppressed; and no exercise of any religion but the established, was permitted throughout the kingdom. Any word or writing which tended towards heresy or schism, was punishable by the high commissioners, or any three of them: they alone were judges what expressions had that tendency: they proceeded not by information, but upon rumor, suspicion, or according to their discretion: they administered an oath, by which the party cited before them was bound to answer any question which should be propounded to him: whoever refused this oath, though he pleaded ever so justly, that he might thereby be brought to accuse himself or his dearest friend, was punishable by Imprisonment: and in short, an inquisitorial tribunal, with all its terrors and iniquities, was erected in the kingdom. Full discretionary powers were bestowed with regard to the inquiry, trial, sentence, and penalty inflicted; excepting only that corporal punishments were restrained by that patent of the prince which erected the court, not by the act of parliament which empowered him. By reason of the uncertain limits which separate ecclesiastical from civil causes, all accusations of

adultery and incest were tried by the court of high commission; and every complaint of wives against their husbands was there examined and discussed.[*]

* Rymer, tom. xvii. p. 200.

On like pretences, every cause which regarded conscience, that is, every cause, could have been brought under their jurisdiction. But there was a sufficient reason why the king would not be solicitous to stretch the jurisdiction of this court: the star chamber possessed the same authority in civil matters; and its methods of proceeding were equally arbitrary and unlimited, The origin of this court was derived from the most remote antiquity[*] though it is pretended, that its power had first been carried to the greatest height by Henry VII. In all times, however, it is confessed, it enjoyed authority; and at no time was its authority circumscribed, or method of proceeding directed by any law or statute.

We have had already, or shall have sufficient occasion, dur-* ing the course of this history, to mention the dispensing power, the power of imprisonment, of exacting loans[**] and benevolences, of pressing and quartering soldiers, of altering the customs, of erecting monopolies. These branches of power, if not directly opposite to the principles of all free government, must, at least, be acknowledged dangerous to freedom in a monarchical constitution, where an eternal jealousy must be preserved against the sovereign, and no discretionary powers must ever be intrusted to him, by which the property or personal liberty of any subject can be affected. The kings of England, however, had almost constantly exercised these powers; and if, on any occasion, the prince had been obliged to submit to laws enacted against them, he had ever, in practice, eluded these laws, and returned to the same arbitrary administration. During almost three centuries before the accession of James, the regal authority, in all these particulars, had never once been called in question.

* Bushworth, vol. ii. p. 473. In Chambers's case, it was the unanimous opinion of the court of king's bench, that the court of star Chamber was not derived from the statute of Henry VII., but was a court many years before, and one of the most high and honorable courts of justice. See Coke's Rep. term. Mich. 5 Car. I. See, further, Camden's Brit. vol. i. Intro, p. 254, edit. of Gibson.

** During several centuries, no reign had passed without some forced loans from the subject.

We may also observe, that the principles in general which prevailed during that age, were so favorable to monarchy, that they bestowed on it an authority almost absolute and unlimited, sacred and indefeasible.

The meetings of parliament were so precarious, their sessions so short, compared to the vacations, that, when men's eyes were turned upwards in search of sovereign power, the prince alone was apt to strike them as the only permanent magistrate, invested with the whole majesty and authority of the state. The great complaisance too of parliaments, during so long a period, had extremely degraded and obscured those assemblies; and as all instances of opposition to prerogative must have been drawn from a remote age, they were unknown to a great many, and had the less authority even with those who were acquainted with them. These examples, besides, of liberty had commonly, in ancient times, been accompanied with such circumstances of violence, convulsion, civil war, and disorder, that they presented but a disagreeable idea to the inquisitive part of the people, and afforded small inducement to renew

such dismal scenes. By a great many, therefore, monarchy, simple and unmixed, was conceived to be the government of England; and those popular assemblies were supposed to form only the ornament of the fabric, without being in any degree essential to its being and existence.[*] 61 The prerogative of the crown was represented by lawyers as something real and durable; like those eternal essences of the schools, which no time or force could alter. The sanction of religion was by divines called in aid; and the Monarch of heaven was supposed to be interested in supporting the authority of his earthly vicegerent. And though it is pretended that these doctrines were more openly inculcated and more strenuously insisted on during the reign of the Stuarts, they were not then invented; and were only found by the court to be more necessary at that period, by reason of the opposite doctrines, which began to be promulgated by the Puritanical party.[**] 62

* See note III, at the end of the volume.

** See note KKK, at the end of the volume.

In consequence of these exalted ideas of kingly authority, the prerogative, besides the articles of jurisdiction founded on precedent, was by many supposed to possess an inexhaustible fund of latent powers, which might be exerted on any emergence. In every government, necessity, when real, supersedes all laws, and levels all limitations; but in the English government, convenience alone was conceived to authorize any extraordinary act of regal power, and to render it obligatory on the people. Hence the strict obedience required to proclamations during all periods of the English history; and if James has incurred blame on account of his edicts, it is only because he too frequently issued them at a time when they began to be less regarded, not because he first assumed or extended to an unusual degree that exercise of authority. Of his maxims in a parallel case, the following is a pretty remark able instance.

Queen Elizabeth had appointed commissioners for the inspection of prisons, and had bestowed on them full discretionary powers to adjust all differences between prisoners and their creditors, to compound debts, and to give liberty to such debtors as they found honest and insolvent. From the uncertain and undefined nature of the English constitution, doubts sprang up in many, that this commission was contrary to law; and it was represented in that light to James. He forbore, therefore, renewing the commission, till the fifteenth of his reign; when complaints rose so high with regard to the abuses practised in prisons, that he thought himself obliged to overcome his scruples, and to appoint new commissioners, invested with the same discretionary powers which Elizabeth had formerly conferred.[*]

* Rymer, tom. xviii. p. 117, 594.

Upon the whole, we must conceive that monarchy, on the accession of the house of Stuart, was possessed of a very extensive authority: an authority, in the judgment of all, not exactly limited; in the judgment of some, not limitable. But, at the same time, this authority was founded merely on the opinion of the people, influenced by ancient precedent and example. It was not supported either by money or by force of arms. And, for this reason, we need not wonder that the princes of that line were so extremely jealous of their prerogative; being sensible, that when these claims were ravished from them, they possessed no influence by which they could maintain their dignity, or support the laws. By the changes which have since been introduced, the liberty and independence of individuals has been rendered much more full, entire and secure; that of the public more uncertain and precarious. And it seems a necessary, though perhaps a melancholy truth, that in every government, the magistrate must either possess a

large revenue and a military force, or enjoy some discretionary powers, in order to execute the laws and support his own authority.

We have had occasion to remark, in so many instances, the bigotry which prevailed in that age, that we can look for no toleration among the different sects. Two Arians, under the title of heretics, were punished by fire during this period; and no other reign, since the reformation, had been free from the like barbarities. Stowe says, that these Arians were offered their pardon at the stake, if they would merit it by a recantation. A madman, who called himself the Holy Ghost, was without any indulgence for his frenzy, condemned to the same punishment. Twenty pounds a month could, by law, be levied on every one who frequented not the established worship. This rigorous law, however, had one indulgent clause, that the lines exacted should not exceed two thirds of the yearly income of the person. It had been usual for Elizabeth to allow those penalties to run on for several years; and to levy them all at once, to the utter ruin of such Catholics as had incurred her displeasure. James was more humane in this, as in every other respect. The Puritans formed a sect which secretly lurked in the church, but pretended not to any separate worship or discipline. An attempt of that kind would have been universally regarded as the most unpardonable enormity. And had the king been disposed to grant the Puritans a full toleration for a separate exercise of their religion, it is certain, from the spirit of the times, that this sect itself would have despised and hated him for it, and would have reproached him with luke-warmness and indifference in the cause of religion. They maintained, that they themselves were the only pure church; that their principles and practices ought to be established by law; and that no others ought to be tolerated. It may be questioned, therefore, whether the administration at this time could with propriety deserve the appellation of persecutors with regard to the Puritans. Such of the clergy, indeed, as refused to comply with the legal ceremonies, were deprived of their livings, and sometimes, in Elizabeth's reign, were otherwise punished: and ought any man to accept of an office or benefice in an establishment, while he declines compliance with the fixed and known rules of that establishment? But Puritans were never punished for frequenting separate congregations; because there were none such in the kingdom; and no Protestant ever assumed or pretended to the right of erecting them. The greatest well-wishers of the Puritanical sect would have condemned a practice, which in that age was universally, by statesmen and ecclesiastics-philosophers and zealots, regarded as subversive of civil society. Even so great a reasoner as Lord Bacon thought that uniformity in religion was absolutely necessary to the support of government, and that no toleration could with safety be given to sectaries.[*]

* See his essay De Unitate Ecclesiae.

Nothing but the imputation of idolatry, which was thrown on the Catholic religion, could justify, in the eyes of the Puritans themselves, the schism made by the Hugonots and other Protestants who lived in Popish countries.

In all former ages, not wholly excepting even those of Greece and Rome, religious sects, and heresies, and schisms had been esteemed dangerous, if not pernicious, to civil government, and were regarded as the source of faction, and private combination, and opposition to the laws.[*] The magistrate, therefore, applied himself directly to the cure of this evil, as of every other; and very naturally attempted, by penal statutes, to suppress those separate communities, and punish the obstinate innovators. But it was found by fatal experience, and after spilling an ocean of blood in those theological quarrels, that the evil was of a peculiar nature, and was both inflamed by violent remedies, and diffused itself more rapidly throughout the whole society. Hence, though late, arose the paradoxical principle and salutary practice of toleration.

The liberty of the press was incompatible with such maxims and such principles of government as then prevailed, and was therefore quite unknown in that age. Besides employing the two terrible courts of star chamber and high commission, whose powers were unlimited, Queen Elizabeth exerted her authority by restraints upon the press. She passed a decree in her court of star chamber, that is, by her own will and pleasure, forbidding any book to be printed in any place but in London, Oxford, and Cambridge:[**] and another, in which she prohibited, under severe penalties, the publishing of any book or pamphlet "against the form or meaning of any restraint or ordinance, contained, or to be contained, in any statute or laws of this realm, or in any injunction made or set forth by her majesty or her privy council, or against the true sense or meaning of any letters patent, commissions or prohibitions under the great seal of England."[***] James extended the same penalties to the importing of such books from abroad.[****]

* See Cicero de Legibus.

** 28th of Elizabeth. See State Trials vol vii. Sir Robert 1st Knightly, edit.

*** Rymer, tom. xvii. p. 522.

**** Rymer, tom. xvii. p. 522.

And to render these edicts more effectual, he afterwards inhibited the printing of any book without a license from the archbishop of Canterbury, the archbishop of York, the bishop of London, or the vice-chancellor of one of the universities, or of some person appointed by them.[*]

In tracing the coherence among the systems of modern theology, we may observe, that the doctrine of absolute decrees has ever been intimately connected with the enthusiastic spirit, as that doctrine affords the highest subject of joy, triumph, and security to the supposed elect, and exalts them by infinite degrees above the rest of mankind. All the first reformers adopted these principles; and the Jansenists too, a fanatical sect in France, not to mention the Mahometans in Asia, have ever embraced them. As the Lutheran establishments were subjected to Episcopal jurisdiction, their enthusiastic genius gradually decayed; and men had leisure to perceive the absurdity of supposing God to punish by infinite torments what he himself from all eternity had unchangeably decreed. The king, though at this time his Calvinistic education had rivetted him in the doctrine of absolute decrees, yet, being a zealous partisan of Episcopacy, was insensibly engaged, towards the end of his reign, to favor the milder theology of Arminius. Even in so great a doctor, the genius of the religion prevailed over its speculative tenets; and with him, the whole clergy gradually dropped the more rigid principles of absolute reprobation and unconditional decrees. Some noise was at first made about these innovations; but being drowned in the fury of factions and civil wars which ensued, the scholastic arguments made an insignificant figure amidst those violent disputes about civil and ecclesiastical power with which the nation was agitated. And at the restoration, the church, though she still retained her old subscriptions and articles of faith, was found to have totally changed her speculative doctrines, and to have embraced tenets more suitable to the genius of her discipline and worship, without its being possible to assign the precise period in which the alteration was produced.

It may be worth observing, that James, from his great desire to promote controversial divinity, erected a college at Chelsea for the entertainment of twenty persons, who should be entirely employed in refuting the Papists and Puritans.[**]

* Rymer, tom. xvii. p. 616.

** Kennel, p. 685. Caraden's Brit vol. i. p. 370. Gibson's edit.

All the efforts of the great Bacon could not procure an establishment for the cultivation of natural philosophy: even to this day, no society has been instituted for the polishing and fixing of our language. The only encouragement which the sovereign in England has ever given to any thing that has the appearance of science, was this short-lived establishment of James; an institution quite superfluous, considering the unhappy propension which at that time so universally possessed the nation for polemical theology.

The manners of the nation were agreeable to the monarchical government which prevailed, and contained not that strange mixture which at present distinguishes England from all other countries. Such violent extremes were then unknown, of industry and debauchery, frugality and profusion, civility and rusticity, fanaticism and scepticism. Candor, sincerity, modesty, are the only qualities which the English of that age possessed in common with the present.

High pride of family then prevailed; and it was by a dignity and stateliness of behavior, that the gentry and nobility distinguished themselves from the common people. Great riches acquired by commerce were more rare, and had not as yet been able to confound all ranks of men, and render money the chief foundation of distinction. Much ceremony took place in the common intercourse of life, and little familiarity was indulged by the great. The advantages which result from opulence are so solid and real, that those who are possessed of them need not dread the near approaches of their inferiors. The distinctions of birth and title, being more empty and imaginary, soon vanish upon familiar access and acquaintance.

The expenses of the great consisted in pomp, and show, and a numerous retinue, rather than in convenience and true pleasure. The earl of Nottingham, in his embassy to Spain, was attended by five hundred persons: the earl of Hertford, in that to Brussels, carried three hundred gentlemen along with him. Lord Bacon has remarked, that the English nobility, in his time, maintained a larger retinue of servants than the nobility of any other nation, except, perhaps, the Polanders.[*]

Civil honors, which now hold the first place, were at that time subordinate to the military. The young gentry and nobility were fond of distinguishing themselves by arms. The fury of duels, too, prevailed more than at anytime before or since.[**] This was the turn that the romantic chivalry, for which the nation was formerly so renowned, had lately taken.

* Essays De profer, fin. imp.

** Franklyn, p. 5 See also Lord Herbert's Memoirs.

Liberty of commerce between the sexes was indulged, but without any licentiousness of manners. The court was very little an exception to this observation. James had rather entertained an aversion and contempt for the females; nor were those young courtiers, of whom he was so fond, able to break through the established manners of the nation.

The first sedan chair seen in England was in this reign, and was used by the duke of Buckingham; to the great indignation of the people, who exclaimed, that he was employing his fellow-creatures to do the service of beasts.

The country life prevails at present in England beyond any cultivated nation of Europe; but it was then much more generally embraced by all the gentry. The increase of arts, pleasures, and social commerce, was just beginning to produce an inclination for the softer and more civilized

life of the city. James discouraged, as much as possible, this alteration of manners. "He was wont to be very earnest," as Lord Bacon tells us, "with the country gentlemen to go from London to their country seats. And sometimes he would say thus to them: 'Gentlemen, at London you are like ships in a sea, which show like nothing; but in your country villages you are like ships in a river, which look like great things.'"[*]

He was not content with reproof and exhortation. As Queen Elizabeth had perceived with regret the increase of London, and had restrained all new buildings by proclamation, James, who found that these edicts were not exactly obeyed, frequently renewed them; though a strict execution seems still to have been wanting. He also issued reiterated proclamations, in imitation of his predecessor; containing severe menaces against the gentry who lived in town.[**]

* Apophthegms.

** Rymer, tom. xvii. p. 632.

This policy is contrary to that which has ever been practised by all princes who studied the increase of their authority. To allure the nobility to court; to engage them in expensive pleasures or employments which dissipate their fortune; to increase their subjection to ministers by attendance; to weaken their authority in the provinces by absence: these have been the common arts of arbitrary government. But James, besides that he had certainly laid no plan for extending his power, had no money to support a splendid court, or bestow on a numerous retinue of gentry and nobility. He thought too, that by their living together, they became more sensible of their own strength, and were apt to indulge too curious researches into matters of government. To remedy the present evil, he was desirous of dispersing them into their country seats; where, he hoped, they would bear a more submissive reverence to his authority, and receive less support from each other. But the contrary effect soon followed. The riches amassed during their residence at home rendered them independent. The influence acquired by hospitality made them formidable. They would not be led by the court: they could not be driven: and thus the system of the English government received a total and a sudden alteration in the course of less than forty years.

The first rise of commerce and the arts had contributed, in preceding reigns, to scatter those immense fortunes of the barons which rendered them so formidable both to king and people. The further progress of these advantages began, during this reign, to ruin the small proprietors of land;[*] and, by both events, the gentry, or that rank which composed the house of commons, enlarged their power and authority. The early improvements in luxury were seized by the greater nobles, whose fortunes, placing them above frugality, or even calculation, were soon dissipated in expensive pleasures. These improvements reached at last all men of property; and those of slender fortunes, who at that time were often men of family, imitating those of a rank immediately above them, reduced themselves to poverty. Their lands, coming to sale, swelled the estates of those who possessed itches sufficient for the fashionable expenses, but who were not exempted from some care and attention to their domestic economy.

The gentry also of that age were engaged in no expense, except that of country hospitality. No taxes were levied, no wars waged, no attendance at court expected, no bribery or profusion required at elections.[**] Could human nature ever reach happiness, the condition of the English gentry, under so mild and benign a prince, might merit that appellation.

The amount of the king's revenue, as it stood in 1617, is thus stated.[***]

* Cabala, p. 224, 1st edit.

** Men seem then to have been ambitious of representing the counties, but careless on the boroughs. A seat in the house was, in itself, of small importance: but the former became a point of honor among the gentlemen. Journ. 10th Feb. 1620. Towns which had formerly neglected their right of sending members, now began to claim it. Journ. 26th Feb. 1623.

*** An Abstract, or brief Declaration of his Majesty's Revenue, with the Assignations and Defalcations upon the same.

Of crown lands, eighty thousand pounds a year; by customs and new impositions, near one hundred and ninety thousand; by wards and other various branches of revenue, besides purveyance, one hundred and eighty thousand: the whole amounting to four hundred and fifty thousand. The king's ordinary disbursements, by the same account, are said to exceed this sum thirty-six thousand pounds.[*] All the extraordinary sums which James had raised by subsidies, loans, sale of lands, sale of the title of baronet, money paid by the states and by the king of France, benevolences, etc., were, in the whole, about two millions two hundred thousand pounds; of which the sale of lands afforded seven hundred and seventy-five thousand pounds. The extraordinary disbursements of the king amounted to two millions; besides above four hundred thousand pounds given in presents. Upon the whole, a sufficient reason appears, partly from necessary expenses, partly for want of a rigid economy, why the king, even early in his reign, was deeply involved in debt, and found great difficulty to support the government.

Farmers, not commissioners, levied the customs. It seems, indeed, requisite, that the former method should always be tried before the latter, though a preferable one. When men's own interest is concerned, they fall upon a hundred expedients to prevent frauds in the merchants; and these the public may afterwards imitate, in establishing proper rules for its officers.

The customs were supposed to amount to five per cent. of the value, and were levied upon exports, as well as imports. Nay, the imposition upon exports, by James's additions, is said to amount, in some few instances, to twenty-five per cent This practice, so hurtful to industry, prevails still in France, Spain, and most countries of Europe. The customs in 1604 yielded one hundred and twenty-seven thousand pounds a year: [**] they rose to one hundred and ninety thousand towards the end of the reign.

* The excess was formerly greater, as appears by Salisbury's account. See chap. 2.

** Journ. 21st May, 1604.

Interest, during this reign, was at ten per cent. till 1624, when it was reduced to eight. This high interest is an indication of the great profits and small progress of commerce.

The extraordinary supplies granted by parliament, during this whole reign, amounted not to more than six hundred and thirty thousand pounds; which, divided among twenty-one years, makes thirty thousand pounds a year. I do not include those supplies, amounting to three hundred thousand pounds, which were given to the king by his last parliament. These were paid in to their own commissioners; and the expenses of the Spanish war were much more than sufficient to exhaust them. The distressed family of the palatine was a great burden on James, during part of his reign. The king, it is pretended, possessed not frugality proportioned to the extreme narrowness of his revenue. Splendid equipages, however, he did not affect, nor costly

furniture, nor a luxurious table, nor prodigal mistresses. His buildings too were not sumptuous; though the Banqueting House must not be forgotten, as a monument which does honor to his reign. Hunting was his chief amusement, the cheapest pleasure in which a king can indulge himself. His expenses were the effects of liberality, rather than of luxury.

One day, it is said, while he was standing amidst some of his courtiers, a porter passed by, loaded with money, which he was carrying to the treasury. The king observed that Rich, afterwards earl of Holland, one of his handsome, agreeable favorites, whispered something to one standing near him. Upon inquiry, he found that Rich had said, "How happy would that money make me!" Without hesitation, James bestowed it all upon him, though it amounted to three thousand pounds. He added, "You think yourself very happy in obtaining so large a sum; but I am more happy in having an opportunity of obliging a worthy man, whom I love." The generosity of James was more the result of a benign humor or light fancy, than of reason or judgment. The objects of it were such as could render themselves agreeable to him in his loose hours; not such as were endowed with great merit, or who possessed talents or popularity which could strengthen his interest with the public.

The same advantage, we may remark, over the people, which the crown formerly reaped from that interval between the fall of the peers and rise of the commons, was now possessed by the people against the crown, during the continuance of a like interval. The sovereign had already lost that independent revenue by which he could subsist without regular supplies from parliament; and he had not yet acquired the means of influencing those assemblies. The effects of this situation, which commenced with the accession of the house of Stuart, soon rose to a great height, and were more of less propagated throughout all the reigns of that unhappy family.

Subsidies and fifteenths are frequently mentioned by historians; but neither the amount of these taxes, nor the method of levying them, have been well explained. It appears, that the fifteenths formerly corresponded to the name, and were that proportionable part of the movables.[*] But a valuation having been made in the reign of Edward III., that valuation was always adhered to, and each town paid unalterably a particular sum, which the inhabitants themselves assessed upon their fellow-citizens. The same tax in corporate towns was called a tenth; because there it was, at first, a tenth of the movables. The whole amount of a tenth and a fifteenth throughout the kingdom, or a fifteenth, as it is often more concisely called, was about twenty-nine thousand pounds.[**] The amount of a subsidy was not invariable, like that of a fifteenth. In the eighth of Elizabeth, a subsidy amounted to one hundred and twenty thousand pounds: in the fortieth, it was not above seventy-eight thousand.[***] It afterwards fell to seventy thousand, and was continually decreasing.[****] The reason is easily collected from the method of levying it. We may learn from the subsidy bills,[v] that one subsidy was given for four shillings in the pound on land, and two shillings and eightpence on movables throughout the counties; a considerable tax, had it been strictly levied. But this was only the ancient state of a subsidy. During the reign of James, there was not paid the twentieth part of that sum. The tax was so far personal, that a man paid only in the county where he lived, though he should possess estates in other counties; and the assessors formed a loose estimation of his property, and rated him accordingly.

* Coke's Inst. book iv. chap. 1, cf fifteenths, quinzins.

** Coke's Inst. book iv. chap. 1, subsidies temporary.

*** Journ. 11th July, 1610.

**** Coke's Inst. book iv. subsidies temporary.

v See Statutes at large.

To preserve, however, some rule in the estimation, it seems to have been the practice to keep an eye to former assessments, and to rate every man according as his ancestors, or men of such an estimated property, were accustomed to pay. This was a sufficient reason why subsidies could not increase, notwithstanding the great increase of money and rise of rents. But there was an evident reason why they continually decreased. The favor, as is natural to suppose, ran always against the crown; especially during the latter end of Elizabeth, when subsidies became numerous and frequent, and the sums levied were considerable, compared to former supplies. The assessors, though accustomed to have an eye to ancient estimations, were not bound to observe any such rule, but might rate anew any person, according to his present income. When rents fell, or parts of an estate were sold off, the proprietor was sure to represent these losses, and obtain a diminution of his subsidy; but where rents rose, or new lands were purchased, he kept his own secret, and paid no more than formerly. The advantage, therefore, of every change was taken against the crown; and the crown could obtain the advantage of none. And, to make the matter worse, the alterations which happened in property during this age, were in general unfavorable to the crown. The small proprietors, or twenty-pound men, went continually to decay; and when their estates were swallowed up by a greater, the new purchaser increased not his subsidy. So loose, indeed, is the whole method of rating subsidies, that the wonder was, not how the tax should continually diminish, but how it yielded any revenue at all. It became at last so unequal and uncertain, that the parliament was obliged to change it into a land tax.

The price of corn during this reign, and that of the other necessaries of life, was no lower, or was rather higher, than at present. By a proclamation of James, establishing public magazines, whenever wheat fell below thirty-two shillings a quarter, rye below eighteen, barley below sixteen, the commissioners were empowered to purchase corn for the magazines.[*] These prices then are to be regarded as low; though they would rather pass for high by our present estimation. The usual bread of the poor was at this time made of barley.[**] The best wool, during the greater part of James's reign, was at thirty-three shillings a tod.[***] At present, it is not above two-thirds of that value; though it is lo be presumed that our exports in woollen goods are somewhat increased. The finer manufactures, too, by the progress of arts and industry, have rather diminished in price, notwithstanding the great increase of money.

* Rymer, tom. xvii. p. 526. To the same purpose, see also 21st lac vi. cap. 28.

** Rymer, tom. xx. p. 157.

*** See a compendium or dialogue inserted in the Memoirs of Wool, chap. 23.

In Shakspeare, the hostess tells Falstaff, that the shirts she bought him were Holland at eight shillings a yard; a high price at this day, even supposing, what is not probable, that the best Holland at that time was equal in goodness to the best that can now be purchased. In like manner, a yard of velvet, about the middle of Elizabeth's reign, was valued at two and twenty shillings. It appears from Dr. Birch's life of Prince Henry,[*] that that prince, by contract with his butcher, paid near a groat a pound throughout the year for all the beef and mutton used in his family. Besides, we must consider, that the general turn of that age, which no laws could prevent, was the converting of arable land into pasture; a certain proof that the latter was

found more profitable, and consequently that all butcher's meat, as well as bread, was rather higher than at present. We have a regulation of the market with regard to poultry, and some other articles, very early in Charles I.'s reign; [**] and the prices are high. A turkey cock four shillings and sixpence, a turkey hen three shillings, a pheasant cock six, a pheasant hen five, a partridge one shilling, a goose two, a capon two and sixpence, a pullet one and sixpence, a rabbit eightpence, a dozen of pigeons six shillings.[***] We must consider that London at present is more than three times more populous than it was at that time; a circumstance which much increases the price of poultry, and of every thing that cannot conveniently be brought from a distance: not to mention, that these regulations by authority are always calculated to diminish, never to increase the market prices. The contractors for victualling the navy were allowed by government eightpence a day for the diet of each man when in harbor, sevenpence halfpenny when at sea; [****] which would suffice at present. The chief difference in expense between that age and the present consists in the imaginary wants of men, which have since extremely multiplied.[v] These are the principal reasons why James's revenue would go further than the same money in our time; though the difference is not near so great as is usually imagined.

* Page 449.

** Rymer, tom. xix. p. 511.

*** We may judge of the great grievance of purveyance by this circumstance, that the purveyors often gave but sixpence for a dozen of pigeons, and twopence for a fowl. Journ. 25th May, 1626.

**** Rymer, tom. xvii. p. 441, et seq.

v This volume was written above twenty years before the edition of 1778. In that short period, prices have perhaps risen more than during the preceding hundred and fifty.

The public was entirely free from the danger and expense of a standing army. While James was vaunting his divine vicegerency, and boasting of his high prerogative, he possessed not so much as a single regiment of guards to maintain his extensive claims; a sufficient proof that he sincerely believed his pretensions to be well grounded, and a strong presumption that they were at least built on what were then deemed plausible arguments. The militia of England, amounting to one hundred and sixty thousand men,[*] was the sole defence of the kingdom. It is pretended that they were kept in good order during his reign.[**] The city of London procured officers who had served abroad, and who taught the trained bands their exercises in Artillery Garden; a practice which had been discontinued since 1588. All the counties of England, in emulation of the capital, were fond of showing a well-ordered and well-appointed militia. It appeared, that the natural propensity of men towards military shows and exercises will go far, with a little attention in the sovereign, towards exciting and supporting this spirit in any nation. The very boys, at this time, in mimicry of their elders, enlisted themselves voluntarily into companies, elected officers, and practised the discipline, of which the models were every day exposed to their view.[***] Sir Edward Harwood, In a memorial composed at the beginning of the subsequent reign, says, that England was so unprovided with horses fit for war, that two thousand men could not possibly be mounted throughout the whole

kingdom.[****] At present, the breed of horses is so much improved, that almost all those which are employed, either in the plough, wagon, or coach, would be fit for that purpose.
The disorders of Ireland obliged James to keep up some forces there, and put him to great expense. The common pay of a private man in the infantry was eightpence a day, a lieutenant two shillings, an ensign eighteen pence.[v]

* Journ. 1st March, 1623.

** Stowe. See also Sir Walter Raleigh of the Prerogatives of Parliament, and Johnston Hist. lib. xviii.

*** Stowe.

**** In the Harleian Miscellany, vol. iv, p. 255.

v Rymer, tom. xvi. p. 717.

The armies in Europe were not near so numerous during that age; and the private men, we may observe, were drawn from a better rank than at present, and approaching nearer to that of the officers.
In the year 1583, there was a general review made of all the men in England capable of bearing arms; and these were found to amount to one million one hundred and seventy-two thousand men, according to Raleigh.[*] It is impossible to warrant the exactness of this computation; or rather, we may fairly presume it to be somewhat inaccurate. But if it approached near the truth, England has probably, since that time, increased in populousness. The growth of London, in riches and beauty, as well as in numbers of inhabitants, has been prodigious. From 1600, it doubled every forty years;[*] and consequently, in 1680, it contained four times as many inhabitants as at the beginning of the century. It has ever been the centre of all the trade in the kingdom; and almost the only town that affords society and amusement. The affection which the English bear to a country life, makes the provincial towns be little frequented by the gentry. Nothing but the allurements of the capital, which is favored by the residence of the king, and by being the seat of government and of all the courts of justice, can prevail over their passion for their rural villas.
London at this time was almost entirely built of wood, and in every respect was certainly a very ugly city. The earl of Arundel first introduced the general practice of brick buildings.[**]
The navy of England was esteemed formidable in Elizabeth's time, yet it consisted only of thirty-three ships, besides pinnaces;[***] and the largest of these would not equal our fourth-rates at present. Raleigh advises never to build a ship of war above six hundred tons. James was not negligent of the navy. In five years preceding 1623, he built ten new ships, and expended fifty thousand pounds a year on the fleet.

* Sir William Petty.

** Sir Edward Walker's Political Discourses, p. 270

*** Coke's Inst. book iv. chap. 1. Consultation in parliament for the navy.

Of the Invention of Shipping. This number is much superior to that contained in Murden, and that delivered by Sir Edward Coke to the house of commons; and is more likely.

By Raleigh's account, in his discourse of the first invention of shipping, the fleet, in the twenty-fourth of the queen, consisted only of thirteen ships, and was augmented afterwards eleven. He probably reckoned some to be pinnaces, which Coke called ships, besides the value of thirty-six thousand pounds in timber, which he annually gave from the royal forests.[*] The largest ship that ever had come from the English docks was built during this reign. She was only one thousand four hundred tons, and carried sixty-four guns.[**] The merchant ships, in cases of necessity, were instantly converted into ships of war. The king affirmed to the parliament, that the navy had never before been in so good a condition.[***]

Every session of parliament, during this reign, we meet with grievous lamentations concerning the decay of trade, and the growth of Popery: such violent propensity have men to complain of the present times, and to entertain discontent against their fortune and condition. The king himself was deceived by these popular complaints, and was at a loss to account for the total want of money, which he heard so much exaggerated.[****] It may, however, be affirmed, that during no preceding period of English history, was there a more sensible increase, than during the reign of this monarch, of all the advantages which distinguish a flourishing people. Not only the peace which he maintained was favorable to industry and commerce: his turn of mind inclined him to promote the peaceful arts: and trade being as yet in its infancy, all additions to it must have been the more evident to every eye which was not blinded by melancholy prejudices.[v] 63

By an account[v*] which seems judicious and accurate, it appears, that all the seamen employed in the merchant service amounted to ten thousand men, which probably exceeds not the fifth part of their present number. Sir Thomas Overbury says, that the Dutch possessed three times more shipping than the English, but that their ships were of inferior burden to those of the latter.[v**] Sir William Monson computed the English naval power to be little or nothing inferior to the Dutch,[v***] which is surely an exaggeration. The Dutch at this time traded to England with six hundred ships; England to Holland with sixty only.[v****]

* Journ. 11th March, 1623. Sir William Monson makes the number amount only to nine new ships, (p. 253.)

** Stowe.

*** Parl. Hist, vol vi. p. 94.

**** Rymer, tom. xvii. p. 413.

v See note LLL, at the end of the volume.

v* The trade's increase, in the Harleian Misc. vol. iii.

v** Remarks on his travels, Harl. Misc. vol. ii. p. 348.

v*** Naval Tracts, p. 329, 350.

v**** Raleigh's Observations.

A catalogue of the manufactures for which the English were then eminent, would appear very contemptible, in comparison of those which flourish among them at present. Almost all the more elaborate and curious arts were only cultivated abroad, particularly in Italy, Holland, and the Netherlands. Ship-building and the founding of iron cannon were the sole in which the

English excelled. They seem, indeed, to have possessed alone the secret of the latter; and great complaints were made every parliament against the exportation of English ordnance.

Nine tenths of the commerce of the kingdom consisted in woollen goods.[*] Wool, however, was allowed to be exported, till the nineteenth of the king. Its exportation was then forbidden by proclamation; though that edict was never strictly executed. Most of the cloth was exported raw, and was dyed and dressed by the Dutch; who gained, it is pretended, seven hundred thousand pounds a year by this manufacture.[**] A proclamation issued by the king against exporting cloth in that condition, had succeeded so ill during one year, by the refusal of the Dutch to buy the dressed cloth, that great murmurs arose against it; and this measure was retracted by the king, and complained of by the nation, as if it had been the most impolitic in the world. It seems indeed to have been premature.

In so little credit was the fine English cloth even at home, that the king was obliged to seek expedients by which he might engage the people of fashion to wear it.[***] The manufacture of fine linen was totally unknown in the kingdom.[****]

* Journ. 26th May, 1621.

** Journ. 20th May, 1614. Raleigh, in his Observations, computes the loss at four hundred thousand pounds to the nation. There are about eighty thousand undressed cloths, says he, exported yearly. He computes, besides, that about one hundred thousand pounds a year had been lost by kerseys; not to mention other articles. The account of two hundred thousand cloths a year exported in Elizabeth's reign, seems to be exaggerated.

*** Kymer, tom. xvii. p. 415.

**** Rymer, tom. xvii. p. 415.

The company of merchant adventurers, by their patent, possessed the sole commerce of woollen goods, though the staple commodity of the kingdom. An attempt made during the reign of Elizabeth to lay open this important trade, had been attended with bad consequences for a time, by a conspiracy of the merchant adventurers not to make any purchases of cloth; and the queen immediately restored them their patent.

It was the groundless fear of a like accident, that enslaved the nation to those exclusive companies which confined so much every branch of commerce and industry. The parliament, however, annulled, in the third of the king, the patent of the Spanish company; and the trade to Spain, which was at first very insignificant, soon became the most considerable in the kingdom. It is strange that they were not thence encouraged to abolish all the other companies, and that they went no further than obliging them to enlarge their bottom, and to facilitate the admission of new adventurers.

A board of trade was erected by the king in 1622.[*] One of the reasons assigned in the commission is, to remedy the low price of wool, which begat complaints of the decay of the woollen manufactory. It is more probable, however, that this fall of prices proceeded from the increase of wool. The king likewise recommends it to the commissioners to inquire and examine, whether a greater freedom of trade, and an exemption from the restraint of exclusive companies, would not be beneficial. Men were then fettered by their own prejudices; and the king was justly afraid of embracing a bold measure, whose consequences might be uncertain. The digesting of a navigation act, of a like nature with the famous one executed afterwards by

the republican parliament, is likewise recommended to the commissioners. The arbitrary powers then commonly assumed by the privy council, appear evidently through the whole tenor of the commission.

The silk manufacture had no footing in England: but, by James's direction, mulberry-trees were planted, and silk-worms introduced.[**] The climate seems unfavorable to the success of this project. The planting of hops increased much in England during this reign.

* Rymer tom, xvii. p. 410.

** Stowe

Greenland is thought to have been discovered about this period; and the whale fishery was carried on with success: but the industry of the Dutch, in spite of all opposition, soon deprived the English of this source of riches. A company was erected for the discovery of the north-west passage; and many fruitless attempts were made for that purpose. In such noble projects, despair ought never to be admitted, till the absolute impossibility of success be fully ascertained.

The passage to the East Indies had been opened to the English during the reign of Elizabeth; but the trade to those parts was not entirely established till this reign, when the East India company received a new patent, enlarged their stock to one million five hundred thousand pounds,[*] and fitted out several ships on these adventures. In 1609, they built a vessel of twelve hundred tons, the largest merchant ship that England had ever known. She was unfortunate, and perished by shipwreck. In 1611, a large ship of the company, assisted by a pinnace, maintained five several engagements with a squadron of Portuguese, and gained a complete victory over forces much superior. During the following years, the Dutch company was guilty of great injuries towards the English, in expelling many of their factors, and destroying their settlements: but these violences were resented with a proper spirit by the court of England. A naval force was equipped under the earl of Oxford,[**] and lay in wait for the return of the Dutch East India fleet. By reason of cross winds, Oxford tailed of his purpose, and the Dutch escaped. Some time after, one rich ship was taken by Vice-admiral Merwin; and it was stipulated by the Dutch to pay seventy thousand pounds to the English company, in consideration of the losses which that company had sustained.[***]

* Journ. 26th Nov. 1621.

** In 1622.

*** Johnstoni Hist. lib. xix.

But neither this stipulation, nor the fear of reprisals, nor the sense of that friendship which subsisted between England and the states, could restrain the avidity of the Dutch company, or render them equitable in their proceedings towards their allies. Impatient to have the sole possession of the spice trade, which the English then shared with them, they assumed a jurisdiction over a factory of the latter in the Island of Amboyna; and on very improbable, and even absurd pretences, seized all the factors with their families, and put them to death with the most inhuman tortures. This dismal news arrived in England at the time when James, by the prejudices of his subjects and the intrigues of his favorite, was constrained to make a breach with Spain: and he was obliged, after some remonstrances, to acquiesce in this indignity from a state whose alliance was now become necessary to him. It is remarkable, that the nation, almost without a murmur, submitted to this injury from their Protestant confederates; an injury

which, besides the horrid enormity of the action, was of much deeper importance to national interest, than all those which they were so impatient to resent from the house of Austria.

The exports of England from Christmas, 1612, to Christmas 1613, are computed at two millions four hundred and eighty-seven thousand four hundred and thirty-five pounds; the imports at two millions one hundred and forty-one thousand one hundred and fifty-one: so that the balance in favor of England was three Hundred and forty-six thousand two hundred and eighty-four.[*] But in 1622, the exports were two millions three hundred and twenty thousand four hundred and thirty-six pounds; the imports two millions six hundred and nineteen thousand three hundred and fifteen; which makes a balance of two hundred and ninety-eight thousand eight hundred and seventy-nine pounds against England.[**] The coinage of England from 1599 to 1619 amounted to four millions seven hundred and seventy-nine thousand three hundred and fourteen pounds thirteen shillings and fourpence:[***] a proof that the balance, in the main, was considerably in favor of the kingdom. As the annual imports and exports together rose to near five millions, and the customs never yielded so much as two Hundred thousand pounds a year, of which tonnage made a part, it appears that the new rates affixed by James did not, on the whole, amount to one shilling in the pound, and consequently were still inferior to the intention of the original grant of parliament. The East India company usually carried out a third of their cargo in commodities.[****] The trade to Turkey was one of the most gainful to the nation. It appears that copper halfpence and farthings began to be coined in this reign.[v] Tradesmen had commonly carried on their retail business chiefly by means of leaden tokens. The small silver penny was soon lost, and at this time was nowhere to be found.

* Misselden's Circle of Commerce, p. 121.

** Misselden's Circle of Commerce, p. 121.

*** Happy Future State of England, p. 78.

**** Munn's Discourse on the East India Trade.

v Anderson, vol. i. p. 477.

What chiefly renders the reign of James memorable, is the commencement of the English colonies in America; colonies established on the noblest footing that has been known in any age or nation. The Spaniards, being the first discoverers of the new world, immediately took possession of the precious mines which they found there; and, by the allurement of great riches, they were tempted to depopulate their own country, as well as that which they conquered; and added the vice of sloth to those of avidity and barbarity, which had attended their adventurers in those renowned enterprises. That fine coast was entirely neglected which reaches from St. Augustine to Cape Breton, and which lies in all the temperate climates, is watered by noble rivers, and offers a fertile soil, but nothing more, to the industrious planter. Peopled gradually from England by the necessitous and indigent, who at home increased neither wealth nor populousness, the colonies which were planted along that tract have promoted the navigation, encouraged the industry, and even perhaps multiplied the inhabitants of their mother country. The spirit of independency, which was reviving in England, here shone forth in its full lustre, and received new accession from the aspiring character of those who, being discontented with the established church and monarchy, had sought for freedom amidst those savage deserts.

Queen Elizabeth had done little more than given a name to the continent of Virginia; and, after her planting one feeble colony, which quickly decayed, that country was entirely abandoned.

But when peace put an end to the military enterprises against Spain, and left ambitious spirits no hopes of making any longer such rapid advances towards honor and fortune, the nation began to second the pacific intentions of its monarch, and to seek a surer, though slower expedient, for acquiring riches and glory. In 1606, Newport carried over a colony, and began a settlement; which the company, erected by patent for that purpose in London and Bristol, took care to supply with yearly recruits of provisions, utensils, and new inhabitants. About 1609, Argal discovered a more direct and shorter passage to Virginia, and left the track of the ancient navigators, who had first directed their course southwards to the tropic, sailed westward by means of the trade winds, and then turned northward, till they reached the English settlements. The same year, five hundred persons, under Sir Thomas Gates and Sir George Somers, were embarked for Virginia. Somers's ship, meeting with a tempest, was driven into the Bermudas, and laid the foundation of a settlement in those islands. Lord Delawar afterwards undertook the government of the English colonies: but, notwithstanding all his care, seconded by supplies from James and by money raised from the first lottery ever known in the kingdom, such difficulties attended the settlement of these countries, that, in 1614, there were not alive more than four hundred men, of all that had been sent thither. After supplying themselves with provisions more immediately necessary for the support of life, the new planters began the cultivating of tobacco; and James, notwithstanding his antipathy to that drug, which he affirmed to be pernicious to men's morals, as well as their health,[*] gave them permission to enter it in England; and he inhibited by proclamation all importation of it from Spain.[**] By degrees, new colonies were established in that continent, and gave new names to the places where they settled, leaving that of Virginia to the province first planted. The Island of Barbadoes was also planted in this reign.

* Rymer, tom. xvii. p. 621.

** Rymer, tom. xvii. p. 621, 633.

Speculative reasoners, during that age, raised many objections to the planting of those remote colonies; and foretold that, after draining their mother country of inhabitants, they would soon shake off her yoke, and erect an independent government in America: but time has shown, that the views entertained by those who encouraged such generous undertakings, were more just and solid. A mild government and great naval force have preserved, and may still preserve during some time, the dominion of England over her colonies. And such advantages have commerce and navigation reaped from these establishments, that more than a fourth of the English shipping is at present computed to be employed in carrying on the traffic with the American settlements.

Agriculture was anciently very imperfect in England. The sudden transitions, so often mentioned by historians, from the lowest to the highest price of grain, and the prodigious inequality of its value in different years, are sufficient proofs, that the produce depended entirely on the seasons, and that art had as yet done nothing to fence against the injuries of the heavens. During this reign, considerable improvements were made, as in most arts, so in this, the most beneficial of any. A numerous catalogue might be formed of books and pamphlets treating of husbandry, which were written about this time. The nation, however, was still dependent on foreigners for daily bread; and though its exportation of grain forms a considerable branch of its commerce, notwithstanding its probable increase of people, there was, in that period, a regular importation from the Baltic, as well as from France and if it ever stopped, the bad consequences were sensibly felt by the nation. Sir Walter Raleigh, in his Observations, computes that two millions went out at one time for corn. It was not till the fifth

of Elizabeth, that the exportation of corn had been allowed in England; and Camden observes, that agriculture from that moment received new life and vigor.

The endeavors of James, or, more properly speaking, those—of the nation, for promoting trade, were attended with greater success than those for the encouragement of learning. Though the age was by no means destitute of eminent writers, a very bad taste in general prevailed during that period; and the monarch himself was not a little infected with it.

On the origin of letters among the Greeks, the genius of poets and orators, as might naturally be expected, was distinguished by an amiable simplicity, which, whatever rudeness may sometimes attend it, is so fitted to express the genuine movements of nature and passion, that the compositions possessed of it must ever appear valuable to the discerning part of mankind. The glaring figures of discourse, the pointed antithesis, the unnatural conceit, the jingle of words; such false ornaments were not employed by early writers; not because they were rejected, but because they scarcely ever occurred to them. An easy, unforced strain of sentiment runs through their compositions; though at the same time we may observe, that, amidst the most elegant simplicity of thought and expression, one is sometimes surprised to meet with a poor conceit, which had presented itself unsought for, and which the author had not acquired critical observation enough to condemn.[*]

* The name of Polynices, one of OEdipus's sons, means in the original "much quarrelling." In the altercations between the two brothers, in Æschylus, Sophocles, and Euripides, this conceit is employed; and it is remarkable, that so poor a conundrum could not be rejected by any of these three poets, so justly celebrated for their taste and simplicity. What could Shakspeare have done worse? Terence has his "inceptio est amentium, non amanthim." Many similar instances will occur to the learned. It is well known that Aristotle treats very seriously of puns, divides them into several classes, and recommends the use of them to orators.

A bad taste seizes with avidity these frivolous beauties, and even perhaps a good taste, ere surfeited by them: they multiply every day more and more in the fashionable compositions: nature and good sense are neglected: labored ornaments studied and admired: and a total degeneracy of style and language prepares the way for barbarism and ignorance. Hence the Asiatic manner was found to depart so much from the simple purity of Athens: hence that tinsel eloquence which is observable in many of the Roman writers, from which Cicero himself is not wholly exempted, and which so much prevails in Ovid, Seneca, Lucan, Martial, and the Plinys.

On the revival of letters, when the judgment of the public is yet raw and unformed, this false glitter catches the eye, and leaves no room, either in eloquence or poetry, for the durable beauties of solid sense and lively passion. The reigning genius is then diametrically opposite to that which prevails on the first origin of arts. The Italian writers, it is evident, even the most celebrated, have not reached the proper simplicity of thought and composition; and in Petrarch, Tasso, Guarini, frivolous witticisms and forced conceits are but too predominant. The period during which letters were cultivated in Italy was so short, as scarcely to allow leisure for correcting this adulterated relish.

The more early French writers are liable to the same reproach. Voiture, Balzac, even Coraeneille, have too much affected those ambitious ornaments, of which the Italians in general, and the least pure of the ancients, supplied them with so many models. And it was not till late, that observation and reflection gave rise to a more natural turn of thought and composition among that elegant people.

A like character may be extended to the first English writers; such as flourished during the reigns of Elizabeth and James, and even till long afterwards. Learning, on its revival in this island, was attired in the same unnatural garb which it wore at the time of its decay among the Greeks and Romans. And, what may be regarded as a misfortune, the English writers were possessed of great genius before they were endowed with any degree of taste, and by that means gave a kind of sanction to those forced turns and sentiments which they so much affected. Their distorted conceptions and expressions are attended with such vigor of mind, that we admire the imagination which produced them, as much as we blame the want of judgment which gave them admittance. To enter into an exact criticism of the writers of that age, would exceed our present purpose. A short character of the most eminent, delivered with the same freedom which history exercises over kings and ministers, may not be improper. The national prepossessions which prevail, will perhaps render the former liberty not the least perilous for an author.

If Shakspeare be considered as a man, born in a rude age, and educated in the lowest manner, without any instruction either from the world or from books, he may be regarded as a prodigy: if represented as a poet, capable of furnishing a proper entertainment to a refined or intelligent audience, we must abate much of this eulogy. In his compositions, we regret that many irregularities, and even absurdities, should so frequently disfigure the animated and passionate scenes intermixed with them; and at the same time, we perhaps admire the more those beauties, on account of their being surrounded with such deformities. A striking peculiarity of sentiment adapted to a singular character, he frequently hits, as it were by inspiration; but a reasonable propriety of thought he cannot for any time uphold. Nervous and picturesque expressions, as well as descriptions, abound in him; but it is in vain we look either for purity or simplicity of diction. His total ignorance of all theatrical art and conduct, however material a defect, yet, as it affects the spectator rather than the reader, we can more easily excuse, than that want of taste which often prevails in his productions, and which gives way only by intervals to the irradiations of genius. A great and fertile genius he certainly possessed, and one enriched equally with a tragic and comic vein; but he ought to be cited as a proof, how dangerous it is to rely on these advantages alone for attaining an excellence in the finer arts.[*] And there may even remain a suspicion, that we overrate, if possible, the greatness of his genius; in the same manner as bodies often appear more gigantic, on account of their being disproportioned and misshapen. He died in 1616, aged fifty-three years.

* Invenire etiam barbari solent, disponere et ornare non nisi eruditus.—PLIN

Jonson possessed all the learning which was wanting to Shakspeare, and wanted all the genius of which the other was possessed. Both of them were equally deficient in taste and elegance, in harmony and correctness. A servile copyist of the ancients, Jonson translated into bad English the beautiful passages of the Greek and Roman authors, without accommodating them to the manners of his age and country. His merit has been totally eclipsed by that of Shakspeare, whose rude genius prevailed over the rude art of his contemporary. The English theatre has ever since taken a strong tincture of Shakspeare's spirit and character; and thence it has proceeded, that the nation has undergone, from all its neighbors, the reproach of barbarism, from which its valuable productions in some other parts of learning would otherwise have exempted it. Jonson had a pension of a hundred marks from the king, which Charles afterwards augmented to a hundred pounds He died in 1637, aged sixty-three.

Fairfax has translated Tasso with an elegance and ease, and at the same time with an exactness, which, for that age, are surprising. Each line in the original is faithfully rendered by a correspondent line in the translation. Harrington's translation of Ariosto is not likewise without

its merit. It is to be regretted, that these poets should have imitated the Italians in their stanza, which has a prolixity and uniformity in it that displeases in long performances. They had, otherwise, as well as Spenser, who went before them, contributed much to the polishing and refining of the English versification.

In Donne's satires, when carefully inspected, there appear some flashes of wit and ingenuity; but these totally suffocated and buried by the harshest and most uncouth expression that is any where to be met with.

If the poetry of the English was so rude and imperfect during that age, we may reasonably expect that their prose would be liable to still greater objections. Though the latter appears the more easy, as it is the more natural method of composition, it has ever in practice been found the more rare and difficult; and there scarcely is an instance, in any language, that it has reached a degree of perfection, before the refinement of poetical numbers and expression. English prose, during the reign of James, was written with little regard to the rules of grammar, and with a total disregard to the elegance and harmony of the period. Stuffed with Latin sentences and quotations, it likewise imitated those inversions, which, however forcible and graceful in the ancient languages, are entirely contrary to the idiom of the English. I shall indeed venture to affirm, that, whatever uncouth phrases and expressions occur in old books, they were chiefly owing to the unformed taste of the author; and that the language spoken in the courts of Elizabeth and James, was very little different from that which we meet with at present in good company. Of this opinion, the little scraps of speeches which are found in the parliamentary journals, and which carry all air so opposite to the labored: rations, seem to be a sufficient proof; and there want not productions of that age, which, being written by men who were not authors by profession, retain a very natural manner, and may give us some idea of the language which prevailed among men of the world. I shall particularly mention Sir John Davis's Discovery. Throgmorton's, Essex's, and Nevil's letters. In a more early period, Cavendish's life of Cardinal Wolsey, the pieces that remain of Bishop Gardiner, and Anne Boleyn's letter to the king, differ little or nothing from the language of our time.

The great glory of literature in this island during the reign of James, was Lord Bacon. Most of his performances were composed in Latin; though he possessed neither the elegance of that, nor of his native tongue. If we consider the variety of talents displayed by this man, as a public speaker, a man of business, a wit, a courtier, a companion, an author, a philosopher, he is justly the object of great admiration. If we consider him merely as an author and philosopher, the light in which we view him at present, though very estimable, he was yet inferior to his contemporary Galilaeo, perhaps even to Kepler. Bacon pointed out at a distance the road to true philosophy: Galilaeo both pointed it out to others, and made himself considerable advances in it. The Englishman was ignorant of geometry: the Florentine revived that science, excelled in it, and was the first that applied it, together with experiment, to natural philosophy. The former rejected, with the most positive disdain, the system of Copernicus: the latter fortified it with new proofs, derived both from reason and the senses. Bacon's style is stiff and rigid: his wit, though often brilliant, is also often unnatural and far-fetched; and he seems to be the original of those pointed similes and long-spun allegories which so much distinguish the English authors: Galilaeo is a lively and agreeable, though somewhat a prolix writer. But Italy not united in any single government, and perhaps satiated with that literary glory which it has possessed both in ancient and modern times, has too much neglected the renown which it has acquired by giving birth to so great a man. That national spirit which prevails among the English, and which forms their great happiness, is the cause why they bestow on all their eminent writers, and on Bacon among the rest, such praises and acclamations as may often appear partial and excessive. He died in 1626, in the sixty-sixth year of his life.

If the reader of Raleigh's history can have the patience to wade through the Jewish and rabbinical learning which compose the half of the volume, he will find, when he comes to the Greek and Roman story, that his pains are not unrewarded. Raleigh is the best model of that ancient style which some writers would affect to revive at present. He was beheaded in 1618, aged sixty-six years.

Camden's history of Queen Elizabeth may be esteemed good composition, both for style and matter. It is written with simplicity of expression, very rare in that age, and with a regard to truth. It would not perhaps be too much to affirm, that it is among the best historical productions which have yet been composed by any Englishman. It is well known that the English have not much excelled in that kind of literature. He died in 1623, aged seventy-three years.

We shall mention the king himself at the end of these English writers; because that is his place, when considered as an author. It may safely be affirmed, that the mediocrity of James's talents in literature, joined to the great change in national taste, is one cause of that contempt under which his memory labors, and which is often carried by party writers to a great extreme. It is remarkable, how different from ours were the sentiments of the ancients with regard to learning. Of the first twenty Roman emperors, counting from Caesar to Severus, above the half were authors; and though few of them seem to have been eminent in that profession, it is always remarked to their praise, that by their example they encouraged literature. Not to mention Germanicus, and his daughter Agrippina, persons so nearly allied to the throne, the greater part of the classic writers whose works remain, were men of the highest quality. As every human advantage is attended with inconveniencies, the change of men's ideas in this particular may probably be ascribed to the invention of printing; which has rendered books so common, that even men of slender fortunes can have access to them.

That James was but a middling writer, may be allowed: that he was a contemptible one, can by no means be admitted. Whoever will read his Basilicon Doron, particularly the two last books, the true law of free monarchies, his answer to Cardinal Perron, and almost all his speeches and messages to parliament, will confess him to have possessed no mean genius. If he wrote concerning witches and apparitions; who, in that age did not admit the reality of these fictitious beings? If he has composed a commentary on the Revelations, and proved the pope to be Antichrist; may not a similar reproach be extended to the famous Napier; and even to Newton, at a time when learning was much more advanced than during the reign of James? From the grossness of its superstitions we may infer the ignorance of an age; but never should pronounce concerning the folly of an individual, from his admitting popular errors, consecrated by the appearance of religion.

Such a superiority do the pursuits of literature possess above every other occupation, that even he who attains but a mediocrity in them, merits the preëminence above those that excel the most in the common and vulgar professions. The speaker of the house of commons is usually an eminent lawyer; yet the harangue of his majesty will always be found much superior to that of the speaker, in every parliament during this reign.

Every science, as well as polite literature, must be considered as being yet in its infancy. Scholastic learning and polemical divinity retarded the growth of all true knowledge. Sir Henry Saville, in the preamble of that deed by which he annexed a salary to the mathematical and astronomical professors in Oxford, says, that geometry was almost totally abandoned and unknown in England.[*] The best learning of that age was the study of the ancients. Casaubon, eminent for this species of knowledge, was invited over from France by James, and encouraged by a pension of three hundred pounds a year, as well as by church preferments.[**] The famous Antonio di Dominis, archbishop of Spalatro, no despicable philosopher, came likewise into England, and afforded great triumph to the nation, by their gaining so considerable a proselyte

from the Papists. But the mortification followed soon after: the archbishop, though advanced to some ecclesiastical preferments.[***] received not encouragement sufficient to satisfy his ambition; he made his escape into Italy, where he died in confinement.

*	Rymer,	tom.	xvii.	p.	217
**	Rymer,	tom.	xvii.	p.	709.

*** Rymer, tom. xvii. p. 96.

NOTES.

1

[NOTE A, p. 10. The parliament also granted the queen the duties of tonnage and poundage; but this concession was at that time regarded only as a matter of form, and she had levied these duties before they were voted by parliament. But there was another exertion of power which she practiced, and which people in the present age, from their ignorance of ancient practices, may be apt to think a little extraordinary. Her sister, after the commencement of the war with France, had, from her own authority, imposed four marks on each tun of wine imported, and had increased the poundage a third on all commodities. Queen Elizabeth continued these impositions as long as she thought convenient. The parliament, who had so good an opportunity of restraining these arbitrary taxes when they voted the tonnage and poundage, thought not proper to make any mention of them. They knew that the sovereign, during that age, pretended to have the sole regulation of foreign trade, and that their intermeddling with that prerogative would have drawn on them the severest reproof, if not chastisement. See Forbes, vol. i. p. 132, 133. We know certainly, from the statutes and journals, that no such impositions were granted by parliament.]

2

[NOTE B, p. 20. Knox, p. 127. We shall suggest afterwards some reasons to suspect, that perhaps no express promise was ever given. Calumnies easily arise during times of faction, especially those of the religious kind, when men think every art lawful for promoting their purpose. The congregation, in their manifesto, in which they enumerate all the articles of the regent's mal-administration, do not reproach her with this breach of promise. It was probably nothing but a rumor spread abroad to catch the populace. If the Papists have sometimes maintained that no faith was to be kept with heretics, their adversaries seem also to have thought, that no truth ought to be told of idolaters.]

3

[NOTE C. p. 23. Spotswood, p. 146. Melvil, p. 29. Knox, p. 225, 228. Lesley, lib That there was really no violation of the capitulation of Perth appears from the manifesto of the congregation in Knox, p. 184, in which it is not so much as pretended. The companies of Scotch soldiers were, probably, in Scotch pay, since the congregation complains, that the country was oppressed with taxes to maintain armies. Knox, p, 164, 165. And even if they had been in French pay, it had been no breach of the capitulation, since they were national troops, not French. Knox does not say, (p. 139,) that any of the inhabitants of Perth were tried or punished for their past offences, but only that they were oppressed with the quartering of soldiers; and the congregation, in their manifesto, say only that many of them had fled for fear. This plain detection of the calumny with regard to the breach of the capitulation of Perth, may make us suspect a like calumny with regard to the pretended promise not to give sentence against the ministers. The affair lay altogether between the regent and the laird of Dun; and that gentleman, though a man of sense and character, might be willing to take some general professions for promises. If the queen, overawed by the power of the congregation, gave such a promise in order to have

liberty to proceed to a sentence, how could she expect to have power to execute a sentence so insidiously obtained? And to what purpose could it serve?]

4

[NOTE D, p. 24. Knox, p. 153, 154, 155. This author pretends that this article was agreed to verbally, but that the queen's scribes omitted it in the treaty which was signed. The story is very unlikely, or rather very absurd; and in the mean time it is allowed, that the article is not in the treaty; nor do the congregation, in their subsequent manifesto, insist upon it. Knox, p. 184. Besides, would the queen regent, in an article of a treaty, call her own religion idolatry?]

5

[NOTE E, p. 25. The Scotch lords, in their declaration, say, "How far we have sought support of England, or of any other prince, and what just cause we had and have so to do, we shall shortly make manifest unto the world, to the praise of God's holy name, and to the confusion of fell those that slander us for so doing; for this we fear not to confess, that, as in this enterprise against the devil, against idolatry and the maintainers of the same, we chiefly and only seek God's glory to be notified unto men, sin to be punished, and virtue to be maintained; so where power faileth of ourselves, we will seek it wheresoever God shall offer the same." Knox, p. 176.]

6

[NOTE F, p. 61. This year, the council of Trent was dissolved, which had sitten from 1545. The publication of its decrees excited anew the general ferment in Europe, while the Catholics endeavored to enforce the acceptance of them, and the Protestants rejected them. The religious controversies were too far advanced to expect that any conviction would result from the decrees of this council. It is the only general council which has been held in an age truly learned and inquisitive; and as the history of it has been written with great penetration and Judgment, it has tended very much to expose clerical usurpations and intrigues, and may serve us as a specimen of more ancient councils. No one expects to see another general council, till the decay of learning and the progress of ignorance shall again fit mankind for these great impostures.]

7

[NOTE G, p. 69. It appears, however, from Randolfs Letters, (see Keith, p. 200,) that some offers had been made to that minister, of seizing Lenox and Darnley, and delivering them into Queen Elizabeth's hands. Melvil confirms the same story, and says that the design was acknowledged by the conspirators, (p. 56.) This serves to justify the account given by the queen's party of the Raid of Baith, as it is called. See farther, Goodall, vol. ii. p. 358. The other conspiracy, of which Murray complained, is much more uncertain, and is founded on very doubtful evidence.]

8

[NOTE H, p. 73. Buchanan confesses that Rizzio was ugly: but it may be inferred, from the narration of that author, that he was young. He says that, on the return of the duke of Savoy to Turin, Rizzio was "in adolescentiæ vigore;" in the vigor of youth. Now, that event happened only a few years before, (lib. xvii. cap. 44.) That Bothwell was young, appears, among many other invincible proofs, from Mary's instructions to the bishop of Dumblain, her ambassador at Paris; where she says, that in 1559, only eight years before, he was "very young." He might therefore have been about thirty when he married her. See Keith's History, p. 388. From the appendix to the Epistolae Regum Scotorum. it appears, by authentic documents, that Patrick, earl of Bothwell, father to James, who espoused Queen Mary, was alive till near the year 1560. Buchanan, by a mistake which has been long ago corrected, calls him James.]

9

[NOTE I, p. 84. Mary herself confessed, in her instructions to the ambassadors, whom she sent to France, that Bothwell persuaded all the noblemen, that their application in favor of his

marriage was agreeable to her. Keith, p. 389. Anderson, vol. i. p. 94. Murray afterwards produced, to Queen Elizabeth's commissioners, a paper signed by Mary, by which she permitted them to make this application to her. This permission was a sufficient declaration of her intentions, and was esteemed equivalent to a command. Anderson, vol. iv. p. 59. They even asserted that the house in which they met was surrounded with armed men. Goodall, vol. ii. p 141.]

11

[NOTE K, p. 108 Mary's complaints of the queen's partiality in admitting Murray to a conference was a mere pretext, in order to break off the conference. She indeed employs that reason in her order for that purpose, (see Goodall, vol. ii. p. 184;) but in her private letter, her commissioners are directed to make use of that order to prevent her honor from being attacked. Goodall, vol. ii. p. 183. It was therefore the accusation only she was afraid of. Murray was the least obnoxious of all her enemies. He was abroad when her subjects rebelled, and reduced her to captivity. He had only accepted of the regency, when voluntarily proffered him by the nation. His being admitted to Queen Elizabeth's presence was therefore a very bad foundation for a quarrel, or for breaking off the conference, and was plainly a mere pretence.]

12

[NOTE L, p. 110. We shall not enter into a long discussion concerning the authenticity of these letters. We shall only remark in general, that the chief objections against them are, that they are supposed to have passed through the earl of Morton's hands, the least scrupulous of all Mary's enemies; and that they are, to the last degree, indecent, and even somewhat inelegant, such as it is not likely she would write. But to these presumptions we may oppose the following considerations: 1. Though it be not difficult to counterfeit a subscription, it is very difficult, and almost impossible, to counterfeit several pages, so as to resemble exactly the handwriting of any person. These letters were examined and compared with Mary's handwriting, by the English privy council, and by a great many of the nobility, among whom were several partisans of that princess. They might have been examined by the bishop of Ross, Herreis, and others of Mary's commissioners. The regent must have expected that they would be very critically examined by them; and had they not been able to stand that test, he was only preparing a scene of confusion to himself. Bishop Lesley expressly declines the comparing of the hands, which he calls no legal proof. Goodall, vol. ii. p. 389. 2. The letters are very long, much longer than they needed to have been, in order to serve the purposes of Mary's enemies; a circumstance which increased the difficulty, and exposed any forgery the more to the risk of a detection. 3. They are not so gross and palpable as forgeries commonly are, for they still left a pretext for Mary's friends to assert that their meaning was strained to make them appear criminal. See Goodall, vol. ii. p. 361. 4. There is a long contract of marriage, said to be written by the earl of Huntley, and signed by the queen, before Bothwells acquittal. Would Morton, without any necessity, have thus doubled the difficulties of the forgery, and the danger of detection? 5. The letters are indiscreet; but such was apparently Mary's conduct at that time. They are inelegant; but they have a careless, natural air, like letters hastily written between familiar friends. 6. They contain such a variety of particular circumstances as nobody could have thought of inventing, especially as they must necessarily have afforded her many means of detection. 7. We have not the originals of the letters, which were in French. We have only a Scotch and Latin translation from the original, and a French translation, professedly done from the Latin. Now it is remarkable that the Scotch translation is full of Gallicisms, and is clearly a translation from a French original; such as make fault, faire des fautes; make it seem that I believe, faire semblant de le croire; make brek, faire brèche; this is my first journey, c'est ma première journée; have you not desire to laugh? n'avez vous pas envie de rire; the place will hold unto the death, la place tiendra jusqu'à la mort; he may not come forth of the house this

long time, il ne peut pas sortir du logis de long-tems; to make me advertisement, faire m'avertir; put order to it, metire ordre à cela; discharge your heart, décharger votre coeur; make gud watch, faites bonne garde, etc. 8. There is a conversation which she mentions between herself and the king one evening; but Murray produced before the English commissioners the testimony of one Crawford, a gentleman of the earl of Lenox, who swore that the king, on her departure from him, gave him an account of the same conversation. 9. There seems very little reason why Murray and his associates should run the risk of such a dangerous forgery, which must have rendered them infamous, if detected: since their cause, from Mary's known conduct, even without these letters, was sufficiently good and justifiable. 10. Murray exposed these letters to the examination of persons qualified to judge of them: the Scotch council, the Scotch parliament, Queen Elizabeth and her council, who were possessed of a great number of Mary's genuine letters. 11. He gave Mary herself an opportunity of refuting and exposing him, if she had chosen to lay hold of it. 12. The letters tally so well with all the other parts of her conduct during that transaction, that these proofs throw the strongest light on each other. 13. The duke of Norfolk, who had examined these papers, and who favored so much the queen of Scots, that he intended to marry her, and in the end lost his life in her cause, yet believed them authentic, and was fully convinced of her guilt. This appears, not only from his letters, above mentioned, to Queen Elizabeth and her ministers, but by his secret acknowledgment to Bannister, his most trusty confidant. See State Trials, vol. i. p. 81. In the conferences between the duke, Secretary Lidington, and the bishop of Ross, all of them zealous partisans of that princess, the same thing is always taken for granted. Ibid. p. 74, 75. See, further, MS. in the Advocates' library, A. 3, 28, p. 314, from Cott. lib. Calig. c. 9. Indeed, the duke's full persuasion of Mary's guilt, without the least doubt or hesitation, could not have had place, if he had found Lidington or the bishop of Ross of a different opinion, or if they had ever told him that these letters were forged. It is to be remarked, that Lidington, being one of the accomplices, knew the whole bottom of the conspiracy against King Henry, and was, besides, a man of such penetration, that nothing could escape him in such interesting events. 14. I need not repeat the presumption drawn from Mary's refusal to answer. The only excuse for her silence is, that she suspected Elizabeth to be a partial judge. It was not, indeed, the interest of that princess to acquit and justify her rival and competitor; and we accordingly find that Lidington, from the secret information of the Duke of Norfolk, informed Mary, by the bishop of Ross, that the queen of England never meant to come to a decision; but only to get into her hands the proofs of Mary's guilt, in order to blast her character. See State Trials, vol. i p. 77. But this was a better reason for declining the conference altogether, than for breaking it off, on frivolous pretences, the very moment the chief accusation was unexpectedly opened against her. Though she could not expect Elizabeth's final decision in her favor, it was of importance to give a satisfactory answer, if she had any, to the accusation of the Scotch commissioners. That answer could have been dispersed for the satisfaction of the public, of foreign nations, and of posterity. And surely after the accusation and proofs were in Queen Elizabeth's hands, it could do no harm to give in the answers. Mary's information, that the queen never intended to come to a decision, could be no obstacle to her justification. 15. The very disappearance of these letters is a presumption of their authenticity. That event can be accounted for no way but from the care of King James's friends, who were desirous to destroy every proof of his mother's crimes. The disappearance of Morton's narrative, and of Crawford's evidence, from the Cotton library, (Calig. c. I,) must have proceeded from a like cause. See MS. in the Advocates' library, A. 3, 29, p. 88.

I find an objection made to the authenticity of the letters, drawn from the vote of the Scotch privy council, which affirms the letters to be written and subscribed by Queen Mary's own

hand; whereas the copies given in to the parliament, a few days after, were only written, not subscribed. See Goodall, vol. ii. p. 64, 67. But it is not considered, that this circumstance is of no manner of force. There were certainly letters, true or false, laid before the council; and whether the letters were true or false, this mistake proceeds equally from the inaccuracy or blunder of the clerk. The mistake may be accounted for; the letters were only written by her; the second contract with Bothwell was only subscribed. A proper accurate distinction was not made; and they are all said to be written and subscribed. A late writer, Mr. Goodall, has endeavored to prove that these letters clash with chronology, and that the queen was not in the places mentioned in the letters on the days there assigned. To confirm this, he produces charters and other deeds signed by the queen, where the date and place do not agree with the letters. But it is well known, that the date of charters, and such like grants, is no proof of the real day on which they were signed by the sovereign. Papers of that kind commonly pass through different offices. The date is affixed by the first office, and may precede very long the day of the signature.

The account given by Morton of the manner in which the papers came into his hands, is very natural. When he gave it to the English commissioners, he had reason to think it would be canvassed with all the severity of able adversaries, interested in the highest degree to refute it. It is probable, that he could have confirmed it by many circumstances and testimonies; since they declined the contest.

The sonnets are inelegant; insomuch that both Brantome and Bonsard, who knew Queen Mary's style, were assured, when they saw them, that they could not be of her composition. Jebb, voL ii p. 478. But no person is equal in his productions, especially one whose style is so little formed as Mary's must be supposed to be. Not to mention, that such dangerous and criminal enterprises leave little tranquillity of mind for elegant poetical compositions.

In a word, Queen Mary might easily have conducted the whole conspiracy against her husband, without opening her mind to any one person except Bothwell, and without writing a scrap of paper about it; but it was very difficult to have conducted it so that her conduct should not betray her to men of discernment. In the present case, her conduct was so gross as to betray her to every body; and fortune threw into her enemies' hands papers by which they could convict her. The same infatuation and imprudence, which happily is the usual attendant of great crimes, will account for both. It is proper to observe, that there is not one circumstance of the foregoing narrative, contained in the history, that is taken from Knox, Buchanan, or even Thuanus, or indeed from any suspected authority.]

13

[NOTE M, p. 111. Unless we take this angry accusation, advanced by Queen Mary, to be an argument of Murray's guilt, there remains not the least presumption which should lead us to suspect him to have been anywise an accomplice in the king's murder. That queen never pretended to give any proof of the charge; and her commissioners affirmed at the time, that they themselves knew of none, though they were ready to maintain its truth by their mistress's orders, and would produce such proof as she should send them. It is remarkable that, at that time, it was impossible for either her or them to produce any proof; because the conferences before the English commissioners were previously broken off.

It is true, the bishop of Ross, in an angry pamphlet, written by him under a borrowed name, (where it is easy to say any thing,) affirms that Lord Herreis, a few days after the king's death, charged Murray with the guilt, openly to his face, at his own table. This latter nobleman, as Lesley relates the matter, affirmed, that Murray, riding in Fife with one of his servants, the

evening before the commission of that crime, said to him among other talk, "This night, ere morning, the Lord Darnley shall lose his life." See Anderson, vol. i. p. 75. But this is only a hearsay of Lesley's concerning a hearsay of Herreis's, and contains a very improbable fact. Would Murray, without any use or necessity, communicate to a servant such a dangerous and important secret, merely by way of conversation;[**?] We may also observe, that Lord Herreis himself was one of Queen Mary's commissioners, who accused Murray. Had he ever heard this story, or given credit to it, was not that the time to have produced it? and not have affirmed, as he did, that he, for his part, knew nothing of Murray's guilt. See Goodall, vol. ii. p. 307.

The earls of Huntley and Argyle accuse Murray of this crime; but the reason which they assign is ridiculous. He had given his consent to Mary's divorce from the king; therefore he was the king's murderer. See Anderson, vol. iv. part 2, p. 192. It is a sure argument, that these earls knew no better proof against Murray, otherwise they would have produced it, and not have insisted on so absurd a presumption. Was not this also the time for Huntley to deny his writing Mary's contract with Bothwell, if that paper had been a forgery?

Murray could have no motive to commit that crime. The king, indeed, bore him some ill will; but the king himself was become so despicable, both from his own ill conduct and the queen's aversion to him, that he could neither do good nor harm to any body. To judge by the event, in any case, is always absurd; especially in the present. The king's murder, indeed, procured Murray the regency; but much more Mary's ill conduct and imprudence, which he could not possibly foresee, and which never would have happened, had she been entirely innocent.]

14

[NOTE N, p. 111. I believe there is no reader of common sense, who does not see, from the narrative in the text, that the author means to say, that Queen Mary refuses constantly to answer before the English commissioners, but offers only to answer in person before Queen Elizabeth in person, contrary to her practice during the whole course of the conference, till the moment the evidence of her being an accomplice in her husband's murder is unexpectedly produced. It is true, the author, having repeated four or five times an account of this demand of being admitted to Elizabeth's presence, and having expressed his opinion, that as it had been refused from the beginning, even before the commencement of the conferences, she did not expect it would now be complied with, thought it impossible his meaning could be misunderstood, (as indeed it was impossible;) and not being willing to tire his reader with continual repetitions, he mentions in a passage or two, simply, that she had refused to make any answer. I believe, also, there is no reader of common sense who peruses Anderson or Goodall's collections, and does not see that, agreeably to this narrative, Queen Mary insists unalterably and strenuously on not continuing to answer before the English commissioners, but insists to be heard in person, by Queen Elizabeth in person; though once or twice, by way of bravado, she says simply, that she will answer and refute her enemies, without inserting this condition, which still is understood. But there is a person that has written an Inquiry, historical and critical, into the Evidence against Mary Queen of Scots, and has attempted to refute the foregoing narrative. He quotes a single passage of the narrative, in which Mary is said simply to refuse answering; and then a single passage from Goodall, in which she boasts simply that she will answer; and he very civilly, and almost directly, calls the author a liar, on account of this pretended contradiction. That whole Inquiry, from beginning to end, is composed of such scandalous artifices; and from this instance, the reader may judge of the candor, fair dealing, veracity, and good manners of the inquirer. There are indeed three events in our history, which may be regarded as touchstones of party-men. An English whig, who asserts the reality of the Popish plot, an Irish Catholic, who denies the massacre in 1641, and a Scotch Jacobite, who

maintains the innocence of Queen Mary, must be considered as men beyond the reach of argument or reason, and must be left to their prejudices.]

15

[NOTE O, p. 129. By Murden's state papers, published after the writing of this history, it appears that an agreement had been made between Elizabeth and the regent for the delivering up of Mary to him. The queen afterwards sent down Killigrew to the earl of Marre, when regent, offering to put Mary into his hands. Killigrew was instructed to take good security from the regent that that queen should be tried for her crimes, and that the sentence should be executed upon her. It appears that Marre rejected the offer, because we hear no more of it.]

16

[NOTE P, p. 130. Sir James Melvil (p. 108, 109) ascribes to Elizabeth a positive design of animating the Scotch factions against each other; but his evidence is too inconsiderable to counterbalance many other authorities, and is, indeed, contrary to her subsequent conduct, as well as her interest, and the necessity of her situation. It was plainly her interest that the king's party should prevail, and nothing could have engaged her to stop their progress, or even forbear openly assisting them, but her intention of still amusing the queen of Scots, by the hopes of being peaceably restored to her throne. See, further Strype, vol. ii. Append. p. 20.]

17

[NOTE Q, p. 187. That the queen's negotiations for marrying the duke of Anjou were not feigned nor political, appears clearly from many circumstances; particularly from a passage in Dr. Forbes's manuscript collections, at present in the possession of Lord Royston. She there enjoins Walsingham, before he opens the treaty, to examine the person of the duke; and as that prince had lately recovered from the small-pox, she desires her ambassador to consider, whether he yet retained so much of his good looks, as that a woman could fix her affections on him. Had she not been in earnest, and had she only meant to amuse the public or the court of France, this circumstance was of no moment.]

18

[NOTE R, p. 203. D'Ewes, p. 328. The Puritanical sect had indeed gone so far, that a book of discipline was secretly subscribed by above five hundred clergymen; and the Presbyterian government thereby established in the midst of the church, notwithstanding the rigor of the prelates and of the high commission. So impossible is it by penal statutes, however severe, to suppress all religious innovation. See Neal's Hist. of the Puritans, vol. i. p. 483. Strype's Life of Whitgift, p. 291.]

19

[NOTE S, p. 205. This year, the earl of Northumberland, brother to the earl beheaded some years before, had been engaged in a conspiracy with Lord Paget for the deliverance of the queen of Scots. He was thrown into the Tower; and being conscious that his guilt could be proved upon him, at least that sentence would infallibly be pronounced against him, he freed himself from further prosecution by a voluntary death. He shot himself in the breast with a pistol. About the same time the earl of Arundel, son of the unfortunate duke of Norfolk, having entered into some exceptionable measures, and reflecting en the unhappy fate which had attended his family, endeavored to depart secretly beyond sea, but was discovered and thrown into the Tower. In 1587, this nobleman was brought to his trial for high treason; chiefly because he had dropped some expressions of affection to the Spaniards, and had affirmed that he would have masses said for the success of the armada. His peers found him guilty of treason. This severe sentence was not executed; but Arundel never recovered his liberty. He died a prisoner in 1595. He carried his religious austerities so far, that they were believed the immediate cause of his death.]

20

[NOTE T, p. 216. Mary's extreme animosity against Elizabeth may easily be conceived, and it broke out about this tune in an incident which may appear curious. While the former queen was kept in custody by the earl of Shrewsbury, she lived during a long time in great intimacy with the countess; but that lady entertaining a jealousy of an amour between her and the earl, their friendship was converted into enmity; and Mary took a method of revenge, which at once gratified her spite against the countess and that against Elizabeth. She wrote to the queen, informing her of all the malicious, scandalous stories which, she said, the countess of Shrewsbury had reported of her: that Elizabeth had given a promise of marriage to a certain person, whom she afterwards often admitted to her bed: that she had been equally indulgent to Simier, the French agent, and to the duke of Anjou: that Hatton was also one of her paramours, who was even disgusted with her excessive love and fondness: that though she was on other occasions avaricious to the last degree, as well as ungrateful, and kind to very few, she spared no expense in gratifying her amorous passions: that notwithstanding her licentious amours, she was not made like other women; and all those who courted her in marriage would in the end be disappointed; that she was so conceited of her beauty, as to swallow the most extravagant flattery from her courtiers, who could not, on these occasions, forbear even sneering at her for her folly: that it was usual for them to tell her that the lustre of Her beauty dazzled them like that of the sun, and they could not behold it with a fixed eye. She added that the countess had said, that Mary's best policy would be to engage her son to make love to the queen; nor was there any danger that such a proposal would be taken for mockery; so ridiculous was the opinion which she had entertained of her own charms. She pretended that the countess had represented her as no less odious in her temper than profligate in her manners, and absurd in her vanity: that she had so beaten a young woman of the name of Scudamore, as to break that lady's finger; and in order to cover over the matter, it was pretended that the accident had proceeded from the fall of a candlestick: that she had cut another across the hand with a knife, who had been so unfortunate as to offend her. Mary added, that the countess had informed her, that Elizabeth had suborned Rolstone to pretend friendship to her, in order to debauch her, and thereby throw infamy on her rival. See Murden's State Papers, p. 558. This imprudent and malicious letter was written a very little before the detection of Mary's conspiracy; and contributed, no doubt, to render the proceedings against her the more rigorous. How far all these imputations against Elizabeth can be credited, may perhaps appear doubtful; but her extreme fondness for Leicester, Hatton, and Essex, not to mention Mountjoy and others, with the curious passages between her and Admiral Seymour, contained in Haynes, render her chastity very much to be suspected. Her self-conceit with regard to beauty, we know from other undoubted authority to have been extravagant. Even when she was a very old woman, she allowed her courtiers to flatter her with regard to her "excellent beauties." Birch, vol. ii. p. 442, 443. Her passionate temper may also be proved from many lively instances; and it was not unusual with her to beat her maids of honor. See the Sidney Papers, vol. ii. p. 38. The blow she gave to Essex before the privy council is another instance. There remains in the Museum a letter of the earl of Huntingdon's, in which he complains grievously of the queen's pinching his wife very sorely, on account of some quarrel between them. Had this princess been born in a private station, she would not have been very amiable; but her absolute authority, at the same time that it gave an uncontrolling swing to her violent passions, enabled her to compensate her infirmities by many great and signal virtues.]

21

[NOTE U, p. 226. Camden, p. 525. This evidence was that of Curie, her secretary, whom she allowed to be a very honest man; and who, as well as Nau, had given proofs of his integrity, by keeping so long such important secrets, from whose discovery he could have reaped the

greatest profit. Mary, after all, thought that she had so little reason to complain of Curie's evidence, that she took care to have him paid a considerable sum by her will, which she wrote the day before her death. Goodall, vol. i. p. 413. Neither did she forget Nau, though less satisfied in other respects with his conduct. Id. ibid.]

24

[NOTE X, p. 226. The detail of this conspiracy is to be found in a letter of the queen of Scots to Charles Paget, her great confidant. This letter is dated the 20th of May, 1586, and is contained in Dr. Forbes's manuscript collections, at present in the possession of Lord Royston. It is a copy attested by Curie, Mary's secretary, and endorsed by Lord Burleigh. What proves its authenticity beyond question is, that we find in Murden's Collection, (p. 516,) that Mary actually wrote that very day a letter to Charles Paget; and further she mentions, in the manuscript letter, a letter of Charles Paget's of the 10th of April. Now we find by Murden, (p. 506,) that Charles Paget did actually write her a letter of that date.

This violence of spirit is very consistent with Mary's character. Her maternal affection was too weak to oppose the gratification of her passions, particularly her pride, her ambition, and her bigotry. Her son, having made some fruitless attempts to associate her with him in the title, and having found the scheme impracticable on account of the prejudices of his Protestant subjects, at last desisted from that design and entered into an alliance with England, without comprehending his mother. She was in such a rage at this undutiful behavior, as she imagined it, that she wrote to Queen Elizabeth, that she no longer cared what became of him or herself in the world; the greatest satisfaction she could have before her death, was, to see him and all his adherents become a signal example of tyranny, ingratitude and impiety, and undergo the vengeance of God for their wickedness. She would find in Christendom other heirs, and doubted not to put her inheritance in such hands as would retain the firmest hold of it. She cared not, after taking this revenge, what became of her body. The quickest death would then be the most agreeable to her. And she assured her that, if he persevered, she would disown him for her son, would give him her malediction, would disinherit him, as well of his present possessions as of all he could expect by her; abandoning him not only to her subjects to treat him as they had done her, but to all strangers to subdue and conquer him. It was in vain to employ menaces against her: the fear of death or other misfortune would never induce her to make one step or pronounce one syllable beyond what she had determined. She would rather perish with honor, in maintaining the dignity to which God had raised her, than degrade herself by the least pusillanimity, or act what was unworthy of her station and of her race. Murden, p. 566, 567.

James said to Courcelles, the French ambassador, that he had seen a letter under her own hand, in which she threatened to disinherit him, and said that he might betake him to the lordship of Darnley; for that was all he had by his father. Courcelles' Letter, a MS. of Dr. Campbell's. There is in Jebb (vol. ii. p. 573) a letter of hers, where she throws out the same menace against him.

We find this scheme of seizing the king of Scots, and delivering him into the hands of the pope or the king of Spain, proposed by Morgan to Mary. See Murden, p. 525. A mother must be very violent to whom one would dare to make such a proposal; but it seems she assented to it. Was not such a woman very capable of murdering her husband, who had so grievously offended her?]

25

[NOTE Y, p. 227. The volume of state papers collected by Murden, prove, beyond controversy,

that Mary was long in close correspondence with Babington, (p. 513, 516, 532, 533.) She entertained a like correspondence with Ballard, Morgan, and Charles Paget, and laid a scheme with them for an insurrection, and for the invasion of England by Spain (p. 528,531.) The same papers show, that there had been a discontinuance of Babington's correspondence, agreeably to Camden's narration. See Slate Papers, (p. 513,) where Morgan recommends it to Queen Mary to renew her correspondence with Babington. These circumstances prove, that no weight can be laid on Mary's denial of guilt, and that her correspondence with Babington contained particulars which could not be avowed.]

26

[NOTE Z, p. 227. There are three suppositions by which the letter to Babington may be accounted for, without allowing Mary's concurrence in the conspiracy for assassinating Elizabeth. The first is, that which she seems herself to have embraced, that her secretaries had received Babington's letter, and had, without any treacherous intention, ventured of themselves to answer it, and had never communicated the matter to her. But it is utterly improbable, if not impossible, that a princess of so much sense and spirit should, in an affair of that importance, be so treated by her servants who lived in the house with her, and who had every moment an opportunity of communicating the secret to her. If the conspiracy failed, they must expect to suffer the severest punishment from the court of England; if it succeeded, the lightest punishment which they could hope for from their own mistress, must be disgrace, on account of their temerity. Not to mention, that Mary's concurrence was in some degree requisite for effecting the design of her escape. It was proposed to attack her guards while she was employed in hunting; she must therefore concert the time and place with the conspirators. The second supposition is, that these two secretaries were previously traitors; and being gained by Walsingham, had made such a reply in their mistress's cipher, as might involve her in the guilt of the conspiracy. But these two men had lived long with the queen of Scots, had been entirely trusted by her, and had never fallen under suspicion either with her or her partisans. Camden informs us, that Curle afterwards claimed a reward from Walsingham, on pretence of some promise; but Walsingham told him that he owed him no reward, and that he had made no discoveries on his examination which were not known with certainty from other quarters. The third supposition is, that neither the queen nor the two secretaries, Nau and Curle, ever saw Babington's letter, or made any answer; but that Walsingham, having deciphered the former, forged a reply. But this supposition implies the falsehood of the whole story, told by Camden, of Gifford's access to the queen of Scots' family, and Paulet's refusal to concur in allowing his servants to be bribed. Not to mention, that as Nau's and Curle's evidence must, on this supposition, have been extorted by violence and terror, they would necessarily have been engaged, for their own justification, to have told the truth afterwards; especially upon the accession of James. But Camden informs us, that Nau, even after that event, persisted still in his testimony.

We must also consider, that the two last suppositions imply such a monstrous criminal conduct in Walsingham, and consequently in Elizabeth, (for the matter could be no secret to her,) as exceeds all credibility. If we consider the situation of things, and the prejudices of the times, Mary's consent to Babington's conspiracy appears much more natural and probable. She believed Elizabeth to be a usurper and a heretic. She regarded her as a personal and a violent enemy. She knew that schemes for assassinating heretics were very familiar in that age, and generally approved of by the court of Rome and the zealous Catholics. Her own liberty and sovereignty were connected with the success of this enterprise; and it cannot appear strange, that where men of so much merit as Babington could be engaged by bigotry alone in so criminal an enterprise, Mary, who was actuated by the same motive, joined to so many others, should

have given her consent to a scheme projected by her friends. We may be previously certain, that if such a scheme was ever communicated to her, with any probability of success, she would assent to it; and it served the purpose of Walsingham and the English ministry to facilitate the communication of these schemes, as soon as they had gotten an expedient for intercepting her answer, and detecting the conspiracy. Now, Walsingham's knowledge of the matter is a supposition necessary to account for the letter delivered to Babington.

As to the not punishing of Nau and Curle by Elizabeth, it never is the practice to punish lesser criminals, who had given evidence against the principal.

But what ought to induce us to reject these three suppositions is, that they must all of them be considered as bare possibilities. The partisans of Mary can give no reason for preferring one to the other. Not the slightest evidence ever appeared to support any one of them. Neither at that time, nor at any time afterwards, was any reason discovered, by the numerous zealots at home and abroad who had embraced Mary's defence, to lead us to the belief of any of these three suppositions; and even her apologists at present seem not to have fixed on any choice among these supposed possibilities. The positive proof of two very credible witnesses, supported by the other very strong circumstances, still remains unimpeached. Babington, who had an extreme interest to have communication with the queen of Scots, believed he had found a means of correspondence with her, and had received an answer from her. He, as well as the other conspirators, died in that belief. There has not occurred, since that time, the least argument to prove that they were mistaken; can there be any reason at present to doubt the truth of their opinion? Camden, though a professed apologist for Mary, is constrained to tell the story in such a manner as evidently supposes her guilt. Such was the impossibility of finding any other consistent account, even by a man of parts, who was a contemporary!

In this light might the question have appeared even during Mary's trial. But what now puts her guilt beyond all controversy is the following passage of her letter to Thomas Morgan, dated the 27th of July, 1586: "As to Babington, he hath both kindly and honestly offered himself and all his means to be employed any way I would; whereupon I hope to have satisfied him by two of my several letters since I had his; and the rather for that I opened him the way, thereby I received his with your aforesaid." Murden, p. 533. Babington confessed that he had offered her to assassinate the queen. It appears by this that she had accepted the offer; so that all the suppositions of Walsingham's forgery, or the temerity or treachery of her secretaries, fall to the ground.]

27

[NOTE AA, p 231 This parliament granted the queen a supply of a subsidy and two fifteenths. They adjourned, and met again after the execution of the queen of Scots; when there passed some remarkable incidents, which it may be proper not to omit. We shall give them in the words of Sir Simon D'Ewes, (p. 410, 411,) which are almost wholly transcribed from Townshend's Journal. On Monday, the 27th of February, Mr. Cope, first using some speeches touching the necessity of a learned ministry, and the amendment of things amiss in the ecclesiastical estate, offered to the house a bill and a book written; the bill containing a petition, that it might be enacted, that all laws now in force touching ecclesiastical government should be void; and that it might be enacted, that the Book of Common Prayer now offered, and none other, might be received into the church to be used. The book contained the form of prayer and administration of the sacraments, with divers rites and ceremonies to be used in the church; and he desired that the book might be read. Whereupon Mr. Speaker in effect used this speech: For that her majesty before this time had commanded the house not to meddle with

this matter, and that her majesty had promised to take order in those causes, he doubted not but to the good satisfaction of all her people, he desired that it would please them to spare the reading of it. Notwithstanding the house desired the reading of it. Whereupon Mr. Speaker desired the clerk to read. And the court being ready to read it, Mr. Dalton made a motion against the reading of it, saying, that it was not meet to be read, and it did appoint a new form of administration of the sacraments and ceremonies of the church, to the discredit of the Book of Common Prayer and of the whole state; and thought that this dealing would bring her majesty's indignation against the house, thus to enterprise this dealing with those things which her majesty especially had taken into her own charge and direction. Whereupon Mr. Lewkenor spake, showing the necessity of preaching and of a learned ministry, and thought it very fit that the petition and book should be read. To this purpose spake Mr. Hurleston and Mr. Bainbrigg; and so, the time being passed, the house broke up, and neither the petition nor book read. This done, her majesty sent to Mr. Speaker, as well for this petition and book, as for that other petition and book for the like effect, that was delivered the last session of parliament, which Mr. Speaker sent to her majesty. On Tuesday, the 28th of February, her majesty sent for Mr. Speaker, by occasion whereof the house did not sit. On Wednesday, the first of March, Mr. Wentworth delivered to Mr. Speaker certain articles, which contained questions touching the liberties of the house, and to some of which he was to answer, and desired they might be read. Mr. Speaker desired him to spare his motion until her majesty's pleasure was further known touching the petition and book lately delivered into the house; but Mr. Wentworth would not be so satisfied, but required his articles might be read. Mr. Wentworth introduced his queries by lamenting that he, as well as many others, were deterred from speaking by their want of knowledge and experience in the liberties of the house; and the queries were as follows: Whether this council were not a place for any member of the same here assembled, freely and without controlment of any person or danger of laws, by bill or speech to utter any of the griefs of this commonwealth whatsoever, touching the service of God, the safety of the prince, and this noble realm? Whether that great honor may be done unto God, and benefit and service unto the prince and state, without free speech in this council that may be done with it? Whether there be any council which can make, add, or diminish from the laws of the realm, but only this council of parliament? Whether it be not against the orders of this council to make any secret or matter of weight, which is here in hand, known to the prince or any other, concerning the high service of God, prince, or state without the consent of the house? Whether the speaker or any other may interrupt any member of this council in his speech used in this house tending to any of the forenamed services? Whether the speaker may rise when he will, any matter being propounded, without consent of the house or not? Whether the speaker may overrule the house in any matter or cause there in question, or whether he is to be ruled or overruled in any matter or not? Whether the prince and state can continue, and stand, and be maintained, without this council of parliament, not altering the government of the state? At the end of these questions, says Sir Simon D'Ewes, I found set down this short memorial ensuing; by which it may be perceived both what Serjeant Puckering, the speaker, did with the said questions after he had received them, and what became also of this business, viz.: "These questions Mr. Puckering pocketed up, and showed Sir Thomas Henage, who so handled the matter, that Mr. Wentworth went to the Tower, and the questions not at all moved. Mr. Buckler of Essex herein brake his faith in forsaking the matter, etc., and no more was done." After setting down, continues Sir Simon D'Ewes, the said business of Mr. Wentworth in the original journal book, there follows only this short conclusion of the day itself, viz.: "This day, Mr. Speaker being sent for to the queen's majesty, the house departed." On Thursday, the 2d of March, Mr. Cope, Mr. Lewkenor, Mr. Hurleston, and Mr. Bainbrigg were sent for to my lord chancellor and by divers of the privy council, and from thence were sent to the Tower. On

Saturday the 4th day of March, Sir John Higham made a motion to this house, for that divers good and necessary members thereof were taken from them, that it would please them to be humble petitioners to her majesty for the restitution of them again to this house. To which speeches Mr. Vice-chamberlain answered, that if the gentlemen were committed for matter within the compass of the privilege of the house, then there might be a petition; but if not, then we should give occasion to her majesty's further displeasure; and therefore advised to stay until they heard more, which could not be long. And further, he said, touching the book and the petition, her majesty had, for divers good causes best known to herself, thought fit to suppress the same, without any further examination thereof; and yet thought it very unfit for her majesty to give any account of her doings. But whatsoever Mr. Vice-chamberlain pretended, it is most probable these members were committed for intermeddling with matters touching the church, which her majesty had often inhibited, and which had caused so much disputation and so many meetings between the two houses the last parliament.

This is all we find of the matter in Sir Simon D'Ewes and Townshend; and it appears that those members who had been committed, were detained in custody till the queen thought proper to release them. These questions of Mr. Wentworth are curious; because they contain some faint dawn of the present English constitution, though suddenly eclipsed by the arbitrary government of Elizabeth. Wentworth was indeed by his Puritanism, as well as his love of liberty, (for these two characters, of such unequal merit, arose and advanced together,) the true forerunner of the Hambdens, the Pyms, and the Hollises, who in the next age, with less courage, because with less danger, rendered their principles so triumphant. I shall only ask, whether it be not sufficiently clear from all these transactions, that in the two succeeding reigns it was the people who encroached upon the sovereign, not the sovereign who attempted, as is pretended, to usurp upon the people?]

28

[NOTE BB, p. 259. The queen's speech in the camp of Tilbury was in these words. "My loving people, we have been persuaded, by some that are careful of our safety, to take heed how we commit ourselves to armed multitudes for fear of treachery; but assure you, I do not desire to live to distrust my faithful and loving people. Let tyrants fear: I have always so behaved myself that, under God, I have placed my chiefest strength and safeguard in the loyal hearts and good will of my subjects. And therefore I am come amongst you at this time, not as for my recreation or sport, but being resolved in the midst and heat of the battle to live or die amongst you all; to lay down, for my God, and for my kingdom, and for my people, my honor and my blood; even in the dust. I know I have but the body of a weak and feeble woman, but I have the heart of a king, and of a king of England too; and think foul scorn that Parma or Spain, or any prince of Europe, should dare to invade the borders of my realms; to which rather than any dishonor should grow by me, I myself will take up arms. I myself will be your general, judge, and rewarder of every one of your virtues in the field. I know already, by your forwardness, that you have deserved rewards and crowns; and we do assure you, on the word of a prince, they shall be duly paid you. In the mean time, my lieutenant-general shall be in my stead; than whom never prince commanded a more noble and worthy subject; not doubting, by your obedience to my general, by your concord in the camp, and your valor in the field, we shall shortly have a famous victory over those enemies of my God, of my kingdom, and of my people."]

29

[NOTE CC, p. 264. Strype, vol. iii. p. 525. On the 4th of September, boon after the dispersion of the Spanish armada, died the earl of Leicester, the queen's great but unworthy favorite. Her affection for him continued to the last. He had discovered no conduct in any of his military enterprises, and was suspected of cowardice; yet she intrusted him with the command of her

armies during the danger of the Spanish invasion; a partiality which might have proved fatal to her, had the duke of Parma been able to land his troops in England. She had even ordered a commission to be drawn for him, constituting him her lieutenant, in the kingdoms of England and Ireland; but Burleigh and Hatton represented to her the danger of intrusting such unlimited authority in the hands of any subject, and prevented the execution of that design. No wonder that a conduct so unlike the usual jealousy of Elizabeth, gave reason to suspect that her partiality was founded on some other passion than friendship. But Elizabeth seemed to carry her affection to Leicester no farther than the grave; she ordered his goods to be disposed of at a public sale, in order to reimburse herself of some debt which he owed her; and her usual attention to money was observed to prevail over her regard to the memory of the deceased. This earl was a great hypocrite, a pretender to the strictest religion, an encourager of the Puritans, and founder of hospitals.]

30

[NOTE DD, p. 264. Strype, vol. iii. p. 542. Id. append, p. 239. There are some singular passages in this last speech, which may be worth taking notice of, especially as they came from a member who was no courtier; for he argues against the subsidy. "And first," says he, "for the *necessity* thereof, I cannot deny, but if it were a charge imposed upon us by her majesty's commandment, or a demand proceeding from her majesty by way of request, that I think there is not one among us all, either so disobedient a subject in regard of our duty, or so unthankful a man in respect of the inestimable benefits which by her or from her we have received, which would not with frank consent, both of voice and heart, most willingly submit himself thereunto, without any unreverend inquiry into the causes thereof. For it is continually in the mouth of us all, that our lands, goods, and lives, are at our prince's disposing. And it agreeth very well with that position of the civil law, which sayeth, 'Quod omnia regis aunt,' But how? 'Ita tamen ut omnium sint. Ad regem enim potestas omnium pertinet; ad singulos proprietas.' So that although it be most true that her majesty hath over ourselves and our goods 'potestatem imperandi,' yet it is true, that until that power command, (which, no doubt, will not command without very just cause,) every subject hath his own 'proprietatem possidendi.' Which power and commandment from her majesty, which we have not yet received, I take it, (saving reformation,) that we are freed from the cause of *necessity*. And the cause of necessity is the dangerous estate of the commonwealth," etc. The tenor of the speech pleads rather for a general benevolence than a subsidy; for the law of Richard III. against benevolence was nevei conceived to have any force. The member even proceeds to assert, with some precaution, that it was in the power of parliament to refuse the king's demand of a subsidy; and that there was an instance of that liberty in Heary III.'s time near four hundred years before. *Sub Fine*.]

31

[NOTE EE, p. 266 We may judge of the extent and importance of these abuses by a speech of Bacon's against purveyors, delivered in the first session of the first parliament of the subsequent reign, by which also we may learn that Elizabeth had given no redress to the grievances complained of. "First," says he, "they take in kind what they ought not to take; secondly, they take in quantity a far greater proportion than cometh to your majesty's use; thirdly, they take in an unlawful manner, in a manner, I say, directly and expressly prohibited by the several laws. For the first, I am a little to alter their name; for in stead of takers, they become taxers. Instead of taking provisions for your majesty's service, they tax your people 'ad redimendam vexationem;' imposing upon them and extorting from them divers sums of money, sometimes in gross, sometimes in the nature of stipends annually paid, 'ne noceant,' to be freed and eased of their oppression Again, they take trees, which by law they cannot do; timber trees which are the beauty, countenance, and shelter of men's houses; that men have long spared from their own purse and profit; that men esteem for their use and delight, above ten

times the value; that are a loss which men cannot repair or recover. These do they take, to the defacing and spoiling of your subjects' mansions and dwellings, except they may be compounded with to their own appetites. And if a gentleman be too hard for them while he is at home, they will watch their time when there is but a bailiff or a servant remaining, and put the axe to the root of the tree, ere even the master can stop it. Again, they use a strange and most unjust exaction in causing the subjects to pay poundage of their own debts, due from your majesty unto them; so as a poor man, when he has had his hay, or his wood, or his poultry (which perchance he was full loath to part with, and had for the provision of his own family, and not to put to sale) taken from him, and that not at a just price, but under the value, and cometh to receive his money, he shall have after the rate of twelve pence in the pound abated for poundage of his due payment upon so hard conditions. Nay, further, they are grown to that extremity, (as is affirmed, though it be scarce credible, save that in such persons all things are credible,) that they will take double poundage once when the debenture is made, and again the second time when the money is paid. For the second point, most gracious sovereign, touching the quantity which they take far above that which is answered to your majesty's use; it is affirmed unto me by divers gentlemen of good report, as a matter which I may safely avouch unto your majesty, that there is no pound profit which redoundeth unto your majesty in this course, but induceth and begetteth three pound damage upon your subjects, beside the discontentment. And to the end they may make their spoil more securely, what do they? Whereas divers statutes do strictly provide, that whatsoever they take shall De registered and attested, to the end that by making a collation of that which is taken from the country and that which is answered above, their deceits might appear, they, to the end, to obscure their deceits, utterly omit the observation of this, which the law prescribeth. And therefore to descend, if it may please your majesty, to the third sort of abuse, which is of the unlawful manner of their taking, whereof this question is a branch; it is so manifold, as it rather asketh an enumeration of some of the particulars than a prosecution of all. For their price, by law they ought to take as they can agree with the subject; by abuse, they take at an imposed and enforced price. By law they ought to take but one apprizement by neighbors in the country; by abuse, they make a second apprizement at the court gate; and when the subjects' cattle come up many miles, lean and out of plight by reason of their travel, then they prize them anew at an abated price. By law, they ought to take between sun and sun; by abuse, they take by twilight and in the night time, a time well chosen for malefactors. By law, they ought not to take in the highways, (a place by her majesty's high prerogative protected, and by statute by special words excepted;) by abuse, they take in the highways. By law, they ought to show their commission, etc. A number of other particulars there are," etc. Bacon's Works, vol. iv. p. 305, 306.

Such were the abuses which Elizabeth would neither permit her parliaments to meddle with, nor redress herself. I believe it will readily be allowed, that this slight prerogative alone, which has passed almost unobserved amidst other branches of so much greater importance, was sufficient to extinguish all regular liberty. For what elector, or member of parliament, or even juryman, durst oppose the will of the court, while he lay under the lash of such an arbitrary prerogative? For a further account of the grievous and incredible oppressions of purveyors, see the Journals of the house of commons, vol. i. p. 190. There is a story of a carter, which may be worth mentioning on this occasion. "A carter had three times been at Windsor with his cart, to carry away, upon summons of a remove, some part of the stuff of her majesty's wardrobe; and when he had repaired thither once, twice, and the third time, and that they of the wardrobe had told him the third time, that the remove held not, the carter, slapping his hand on his thigh, said, 'Now I see that the queen is a woman as well as my wife;' which words being overheard by

her majesty, who then stood at the window, she said, 'What a villain is this?' and so sent him three angels to stop his mouth." Birch's Memoirs, vol. i. p. 155.]

32

[NOTE FF, p. 274. This year, the nation suffered a great loss, by the death of Sir Francis Walsingham, secretary of state; a man equally celebrated for his abilities and his integrity. He had passed through many employments, had been very frugal in his expense, yet died so poor, that his family was obliged to give him a private burial. He left only one daughter, first married to Sir Philip Sidney, then to the earl of Essex, favorite of Queen Elizabeth, and lastly to the earl of Clanriearde of Ireland. The same year died Thomas Randolph, who had been employed by the queen in several embassies to Scotland; as did also the earl of Warwick, elder brother to Leicester.]

33

[NOTE GO, p. 276. This action of Sir Richard Greenville is so singular as to merit a more particular relation. He was engaged alone with the whole Spanish fleet of fifty-three sail, which had ten thousand men on board; and from the time the fight began, which was about three in the afternoon, to the break of day next morning, he repulsed the enemy fifteen times, though they continually shifted their vessels, and hoarded with fresh men. In the beginning of the action he himself received a wound; but he continued doing his duty above deck till eleven at night, when receiving a fresh wound, he was carried down to be dressed. During this operation, he received a shot in the head, and the surgeon was killed by his side. The English began now to want powder. All their small arms were broken or become useless. Of their number, which were but a hundred and three at first, forty were killed, and almost all the rest wounded. Their masts were beat overboard, their tackle cut in pieces, and nothing but a hulk left, unable to move one way or other. In this situation, Sir Richard proposed to the ship's company, to trust to the mercy of God, not to that of the Spaniards, and to destroy the ship with themselves, rather than yield to the enemy. The master gunner, and many of the seamen, agreed to this desperate resolution; but others opposed it and obliged Greenville to surrender himself prisoner. He died a few days after; and his last words were, "Here die I, Richard Greenville, with a joyful and quiet mind; for that I have ended my life as a true soldier ought to do, fighting for his country, queen, religion, and honor; my soul willingly departing from this body, leaving behind the lasting fame of having behaved as every valiant soldier is in his duty bound to do." The Spaniards lost in this sharp, though unequal action, four ships, and about a thousand men; and Greenville's vessel perished soon after, with two hundred Spaniards in her. Hacklyt's Voyages, vol. iii. part 2, p. 169. Camden, p. 565.]

34

[NOTE HH, p. 294. It is usual for the speaker to disqualify himself for the office; but the reasons employed by this speaker are so singular that they may be worth transcribing. "My estate," said he, "is nothing correspondent for the maintenance of this dignity, for my father dying left me a younger brother, and nothing to me but my bare annuity. Then growing to man's estate, and some small practice of the law, I took a wife, by whom I have had many children; the keeping of us all being a great impoverishing to my estate, and the daily living of us all nothing but my daily industry. Neither from my person not my nature doth this choice arise; for he that supplieth this place ought to be a man big and comely, stately and well-spoken, his voice great, his carriage majestical, his nature haughty, and his purse plentiful and heavy: but contrarily, the stature of my body is small, myself not so well spoken, my voice low, my carriage lawyer-like, and of the common fashion, my nature soft and bashful, my purse thin, light, and never yet plentiful. If Demosthenes, being so learned and eloquent as he was, one whom none surpassed, trembled to speak before Phocion at Athens, how much more shall I, being unlearned and unskilful to supply the place of dignity, charge, and trouble, to speak before so many Phocions

as here be? yea, which is the greatest, before the unspeakable majesty and sacred personage of our dread and dear sovereign; the terror of whose countenance will appal and abase even the stoutest hearts; yea, whose very name will pull down the greatest courage? for how mightily do the estate and name of a prince deject the haughtiest stomach even of their greatest subjects? D'Ewes, p. 459.]

35

[NOTE II, p. 299. Cabala, p. 234. Birch's Memoirs, vol. ii. p. 386. Speed, p. 877 The whole letter of Essex is so curious and so spirited, that the reader may not be displeased to read it. "My very good lord Though there is not that man this day living, whom I would sooner make judge of any question that might concern me than yourself, yet you must give me leave to tell you, that in some cases I must appeal from all earthly judges; and if any, then surely in this, when the highest judge on earth has imposed on me the heaviest punishment, without trial or hearing. Since then I must either answer your lord-ship's argument, or else forsake mine own just defence, I will force, mine aching head to do me service for an hour. I must first deny my discontent, which was forced, to be a humorous discontent; and that it was unseasonable, or is of so long continuing, your lordship should rather condole with me than expostulate. Natural seasons are expected here below; but violent and unseasonable storms come from above. There is no tempest equal to the passionate indignation of a prince; nor yet at any time so unseasonable, as when it lighteth on those that might expect a harvest of their careful and painful labors. He that is once wounded must needs feel smart, till his hurt is cured, or the part hurt become senseless. But cure I expect none, her majesty's heart being obdurate against me; and be without sense I cannot, being of flesh and blood. But, say you, I may aim at the end. I do more than aim; for I see an end of all my fortunes, I have set an end to all my desires. In this course do I any thing for my enemies? When I was at court, I found them absolute; and therefore I had rather they should triumph alone, than have me attendant upon their chariots. Or do I leave my friends? When I was a courtier, I could yield them no fruit of my love unto them; and now that I am a hermit, they shall bear no envy for their love towards me. Or do I forsake myself because I do enjoy myself? Or do I overthrow my fortunes, because I build not a fortune of paper walls, which every puff of wind bloweth down? Or do I ruinate mine honor, because I leave following the pursuit, or wearing the false badge or mark of the shadow of honor? Do I give courage or comfort to the foreign foe, because I reserve myself to encounter with him? or because I keep my heart from business, though I cannot keep my fortune from declining? No, no, my good lord; I give every one of these considerations its due weight; and the more I weigh them, the more I find myself justified from offending in any of them. As for the two last objections, that I forsake my country when it hath most need of me, and fail in that indissoluble duty which I owe to my sovereign, I answer, that if my country had at this time any need of my public service, her majesty, that governeth it, would not have driven me to a private life. I am tied to my country by two bonds; One public, to discharge carefully and industriously that trust which is committed to me; the other private, to sacrifice for it my life and carcass, which hath been nourished in it Of the first I am free, being dismissed, discharged, and disabled by her majesty. Of the other, nothing can free me but death; and, therefore, no occasion of my performance shall sooner offer itself but I shall meet it half way. The indissoluble duty which I owe unto her majesty is only the duty of allegiance, which Imnever have nor never can fail in. The duty of attendance is no indissoluble duty. I owe her majesty the duty of an earl, and of lord marshal of England. I have been content to do her majesty the service of a clerk; but I can never serve her as a villain of slave. But yet you say I must give way unto the time. So I do; for now that I see the storm come, I have put myself into the harbor. Seneca saith, we must give way to fortune. I know that fortune is both blind and strong, and therefore I go as far as I can out of her way. You say the remedy is not to strive. I neither strive nor seek for remedy. But you

say I must yield and submit. I can neither yield myself to be guilty, nor allow the imputation laid upon me to be just. I owe so much to the Author of all truth, as I can never yield truth to be falsehood, nor falsehood to be truth. Have I given cause, you ask, and yet take a scandal when I have done? No. I gave no cause, not so much as Fimbria's complaint against me; for I did 'totum telum corpore recipere,' receive the whole sword into my body. I patiently bear all, and sensibly feel all that I then received when this scandal was given me. Nay, more, when the vilest of all indignities are done unto me," etc. This noble letter, Bacon afterwards, in pleading against Essex, called bold and presumptuous, and derogatory to her majesty. Birch's Memoirs, vol. ii. p. 338.]

37

[NOTE KK, P. 321. Most of Queen Elizabeth's courtiers feigned love and desire towards her, and addressed themselves to her in the style of passion and gallantry. Sir Walter Raleigh, having fallen into disgrace, wrote the following letter to his friend, Sir Robert Cecil, with a view, no doubt, of having it shown to the queen. "My heart was never broke till this day, that I hear the queen goes away so far off, whom I have followed so many years, with so great love and desire in so many journeys, and am now left behind here in a dark prison all alone. While she was yet near at hand, that I might hear of her once in two or three days, my sorrows were the less; but even now, my heart it cast into the depth of all misery. I, that was wont to behold her riding like Alexander, hunting like Diana, walking like Venus, the gentle wind blowing her fair hair about her pure cheeks, like a nymph, sometimes sitting in the shade like a goddess, sometimes singing like an angel, sometimes playing like Orpheus; behold the sorrow of this world! once amiss hath bereaved me of all. O glory, that only sdineth in misfortune, what is become of thy assurance? All wounds have scars but that of fantasy: all affections their relenting but that of womankind. Who is the judge of friendship but adversity, only when is grace witnessed but in offences? There were no divinity but by reason of compassion; for revenges are brutish and mortal. All those times past, the loves, the sighs, the sorrows, the desires, cannot they weigh down one frail misfortune? Cannot one drop of gall be hid in so great heaps of sweetness? I may then conclude, 'Spes et fortuna, valete.' She is gone in whom I trusted; and of me hath not one thought of mercy, nor any respect of that which was Do with me now, therefore, what you list. I am more weary of life than they are desirous I should perish; which, if it had been for her, as it is by her, I had been too happily born." Murden, 657. It is to be remarked, that this nymph, Venus, goddess, angel, was then about sixty. Yet five or six years after, she allowed the same language to be held to her. Sir Henry Unton, her ambassador in France, relates to her a conversation which he had with Henry IV. That monarch, after having introduced Unton to his mistress, the fair Gabrielle, asked him how he liked her. "I answered sparingly in her praise," said the minister, "and told him, that if, without offence, I might speak it, I had the picture of a far more excellent mistress, and yet did her picture come far short of her perfection of beauty. As you love me, said he, show it me, if you have it about you. I made some difficulties; yet, upon his importunity, offered it to his view very secretly, holding it still in my hand. He beheld it with passion and admiration, saying, that I had reason, 'Je me rends,' protesting that he had never seen the like; so, with great reverence, he kissed it twice or thrice, I detaining it still in my hand. In the end, with some kind of contention, he took it from me, vowing that I might take my leave of it; for he would not forego it for any treasure; and that to possess the favor of the lovely picture, he would forsake all the world, and hold himself most happy; with many other most passionate speeches." Murden, p. 718. For further particulars on this head, see the ingenious author of the Catalogue of Royal and Noble Authors, article Essex.]

38

[NOTE LL, P. 337.

It may not be amiss to subjoin some passages of these speeches; which may serve to give us a just idea of the government of that age, and of the political principles which prevailed during the reign of Elizabeth. Mr. Laurence Hyde proposed a bill, entitled, An act for the explanation of the common law in certain cases of letters patent. Mr. Spicer said, "This bill may touch the prerogative royal, which, as I learned the last parliament, is so transcendent, that the———of the subject may not aspire thereunto. Far be it therefore from me that the state and prerogative royal of the prince should be tied by me, or by the act of any other subject." Mr. Francis Bacon said, "As to the prerogative royal of the prince, for my own part, I ever allowed of it; and it is such as I hope will never be discussed. The queen, as she is our sovereign, hath both an enlarging and restraining power. For by her prerogative she may set at liberty things restrained by statute, law, or otherwise; and secondly, by her prerogative she may restrain things which be at liberty. For the first, she may grant a 'non obstante' contrary to the penal laws. With regard to monopolies and such like cases, the case hath ever been to humble ourselves onto her majesty, and by petition desire to have our grievances remedied, especially when the remedy touched her so nigh in point of prerogative. I say, and I say it again, that we ought not to deal, to judge or meddle with her majesty's prerogative. I wish, therefore, every man to be careful of this business." Dr. Bennet said, "He that goeth about to debate her majesty's prerogative had need to walk warily." Mr. Laurence Hyde said, "For the bill itself, I made it, and I think I understand it; and far be it from this heart of mine to think, this tongue to speak, or this hand to write any thing either in prejudice or derogation of her majesty's prerogative royal and the state." "Mr. Speaker," quoth Serjeant Harris, "for aught I see, the house moveth to have this bill in the nature of a petition. It must then begin with more humiliation. And truly, sir, the bill is good of itself, but the penning of it is somewhat out of course." Mr. Montague said, "The matter is good and honest, and I like this manner of proceeding by bill well enough in this matter. The grievances are great, and I would only unto you thus much, that the last parliament we proceeded by way of petition, which had no successful effect." Mr. Francis More said, "I know the queen's prerogative is a thing curious to be dealt withal; yet all grievances are not comparable. I cannot utter with my tongue, or conceive with my heart, the great grievances that: the town and country, for which I serve, suffereth by some of these monopolies. It bringeth the general profit into a private hand, and the end of all this is beggary and bondage to the subjects. We have a law for the true and faithful currying of leather. There is a patent sets all at liberty, notwithstanding that statute. And to what purpose is it to do any thing by act of parliament, when the queen will undo the same by her prerogative? Out of the spirit of humiliation, Mr. Speaker, I do speak it, there is no act of hers that hath been or is mores derogatory to her own majesty, more odious to the subject, more dangerous to the commonwealth, than the granting of these monopolies." Mr. Martin said, "I do speak for a town that grieves and pines, tor a country that groaneth and languisheth, under the burden of monstrous and unconscionable substitutes to the monopolitans of starch, tin, fish, cloth, oil, vinegar, salt, and I know not what; nay, what not? The principalest commodities, both of my town and country, are engrossed into the hands of these bloodsuckers of the commonwealth. If a body, Mr. Speaker, being let blood, be left still languishing without any remedy, how can the good estate of that body still remain? Such is the state of my town and country; the traffic is taken away, the inward and private commodities are taken away, and dare not be used without the license of these monopolitans. If these bloodsuckers be still let alone to suck up the best and principalest commodities which the earth there hath given us, what will become of us, from whom the fruits of our own soil, and the commodities of our own labor, which, with the sweat of our brows, even up to the knees in mire and dirt, we have labored for, shall be taken by warrant of supreme authority, which the poor subject dare not gainsay?" Mr. George Moore said, "We know the power of her majesty

cannot be restrained by any act. Why, wherefore, should we thus talk s Admit we should make this statute with a non obstante; yet the queen may grant a patent with a non obstante to cross this non obstante. I think, therefore, it agreeth more with the gravity and wisdom of this house, to proceed with all humbleness by petition than bill." Mr. Downland said, "As I would be no let or over-vehement in any thing, so I am not sottish or senseless of the common grievance of the commonwealth. If we proceed by way of petition, we can have no more gracious answer then we had the last parliament to our petition. But since that parliament, we have no reformation." Sir Robert Wroth said, "I speak, and I speak it boldly, these patentees are worse than ever they were." Mr. Hayward Townsend proposed, that they should make suit to her majesty, not only to repeal all monopolies grievous to the subject, but also that it would please her majesty to give the parliament leave to make an act that they might be of no more force, validity, or effect, than they are at the common law, without the strength of her prerogative. Which though we might now do, and the act being so reasonable, we might assure ourselves her majesty would not delay the passing thereof, yet we, her loving subjects, etc., would not offer without her privity and consent, (the cause so nearly touching her prerogative,) or go about to do any such act.

On a subsequent day, the bill against monopolies was again introduced, and Mr. Spicer said, "It is to no purpose to offer to tie her majesty's hands by act of parliament, when she may loosen herself at her pleasure." Mr. Davies said, "God hath given that power to absolute princes, which he attributes to himself. Dixi quod Dii estis.'" (N. B. This axiom he applies to the kings of England.) Mr. Secretary Cecil said, "I am servant to the queen, and before I would speak and give consent to a case that should debase her prerogative, or abridge it, I would wish that my tongue were cut out of my head. I am sure there were law-makers before there were laws; (meaning, I suppose, that the sovereign was above the laws.) One gentleman went about to possess us with the execution of the law in an ancient record of 5 or 7 of Edward III. Likely enough to be true in that time, when the king was afraid of the subject. If you stand upon law, and dispute of the prerogative, hark ye what Bracton says: 'Praerogativam nestram nemo audeat disputare.' And for my own part, I like not these courses should be taken. And you, Mr. Speaker, should perform the charge her majesty gave unto you in the beginning of this parliament, not to receive bills of this nature; for her majesty's ears be open to all grievances, and her hands stretched out to every man's petitions. When the prince dispenses with a penal law, that is left to the alteration of sovereignty, that is good and irrevocable." Mr. Montague said, "I am loath to speak what I know, lest, perhaps, I should displease. The prerogative royal is that which is now in question, and which the laws of the land have ever allowed bad maintained. Let us, therefore, apply by petition to her majesty."

After the speaker told the house that the queen had annulled many of the patents, Mr. Francis More said, "I must confess, Mr. Speaker, I moved the house both the last parliament and this, touching this point; but I never meant (and I hope the house thinketh so) to set limits and bounds to the prerogative royal." He proceeds to move that thanks should be given to her majesty; and also that whereas divers speeches have been moved extravagantly in the house, which, doubtless, have been told her majesty, and perhaps ill conceived of by her, Mr. Speaker would apologize, and humbly crave pardon for the same. N. B. These extracts were taken by Townsend, a member of the house, who was no courtier; and the extravagance of the speeches seems rather to be on the other side. It will certainly appear strange to us that this liberty should be thought extravagant.

However, the queen, notwithstanding her cajoling the house, was so ill satisfied with these

proceedings, that she spoke of them peevishly in her concluding speech, and told them, that she perceived that private respects with them were privately masked under public presence. D'Ewes, p. 619.

There were some other topics in favor of prerogative, still more extravagant, advanced in the house this parliament. When the question of the subsidy was before them, Mr. Serjeant Heyle said, "Mr. Speaker, I marvel much that the house should stand upon granting of a subsidy or the time of payment, when all we have is her majesty's, and she may lawfully at her pleasure take it from us; yea, she hath as much right to all our lands and goods as to any revenue of her crown." At which all the house hemmed, and laughed, and talked "Well," quoth Serjeant Heyle, "all your hemming shall not put me out of countenance." So Mr. Speaker stood up and said, "It is a great disorder that this house should be so used." So the said serjeant proceeded, and when he had spoken a little while, the house hemmed again; and so he sat down. In his latter speech, he said, he could prove his former position by precedents in the time of Henry III., King John, King Stephen, etc., which was the occasion of then: hemming. D'Ewes, p. 633. It is observable, that Heyle was an eminent lawyer, a man of character. Winwood, vol. i. p. 290. And though the house in general showed their disapprobation, no one cared to take him down, Or oppose these monstrous positions. It was also asserted this session, that in the same manner as the Roman consul was possessed of the power of rejecting or admitting motions in the senate, the speaker might either admit or reject bills in the house. D'Ewes, p. 677. The house declared themselves against this opinion; but the very proposal of it is a proof at what a low ebb liberty was at that time in England.

In the year 1591, the judges made a solemn decree, that England was an absolute empire, of which the king was the head. In consequence of this opinion, they determined, that even if the act of the first of Elizabeth had never been made, the king was supreme head of the church; and might have erected, by his prerogative, such a court as the ecclesiastical commission; for that he was the head of all his subjects. Now that court was plainly arbitrary. The inference is, that his power was equally absolute over the laity. See Coke's Reports, p. 5. Caudrey's case.]

39

[NOTE MM, p. 359. We have remarked before, that Harrison, in book ii. chap. 11, says, that in the reign of Henry VIII. there were hanged seventy-two thousand thieves and rogues, (besides other malefactors;) this makes about two thousand a year: but in Queen Elizabeth's time, the same author says, there were only between three and four hundred a year banged for theft and robbery; so much had the times mended. But in our age, there are not forty a year hanged for those crimes in all England. Yet Harrison complains of the relaxation of the laws, that there were so few such rogues punished in his time. Our vulgar prepossession in favor of the morals of former and rude ages, is very absurd, and ill-grounded. The same author says, (chap. 10,) that there were computed to be ten thousand gypsies in England; a species of banditti introduced about the reign of Henry VIII.; and he adds, that there will be no way of extirpating them by the ordinary course of justice. The queen must employ martial law against them. That race has now almost totally disappeared in England, and even in Scotland, where there were some remains of them a few years ago. However arbitrary the exercise of martial law in the crown, it appears that nobody in the age of Elizabeth entertained any jealousy of it.]

40

[NOTE NN, p. 367. Harrison, in his Description of Britain, printed in 1577, has the following passage, (chap. 13:) "Certes there is no prince in Europe that hath a more beautiful sort of ships than the queen's majesty of England at this present; and those generally are of such exceeding force, that two of them, being well appointed and furnished as they ought, will not let to

encounter with three or four of them of other countries, and either bowge them or put them to flight, if they may not bring them home. The queen's highness hath, at this present, already made and furnished to the number of one and twenty great ships, which lie for the most part in Gillingham Rode. Beside these, her grace hath other in hand also, of whom hereafter, as their turns do come about, I will not let to leave some further remembrance. She hath likewise three notable galleys, the Speedwell, the Tryeright, and the Black Galley, with the sight whereof, and the rest of the navy royal, it is incredible to say how marvellously her grace is delighted; and not without great cause, sith by their means her coasts are kept in quiet, and sundry foreign enemies put back, which otherwise would invade us." After speaking of the merchant ships, which, he says, are commonly estimated at seventeen or eighteen hundred, he continues: "I add, therefore, to the end all men should understand somewhat of the great masses of treasure daily employed upon our navy, how there are few of those ships of the first and second sort, (that is, of the merchant ships,) that, being apparelled and made ready to sail, are not worth one thousand pounds, or three thousand ducats at the least, if they should presently be sold. What shall we then think of the navy royal, of which some one vessel is worth two of the other, as the shipwright has often told me? It is possible that some covetous person, hearing this report, will either not credit at all, or suppose money so employed to be nothing profitable to the queen's coffers; as a good husband said once, when he heard that provisions should be made for armor, wishing the queen's money to be rather laid out to some speedier return of gain unto her grace. But if he wist that the good keeping of the sea is the safeguard of our land, he would alter his censure, and soon give over his judgment." Speaking of the forests, this author says, "An infinite deal of wood hath been destroyed within these few years; and I dare affirm, that if wood do go so fast to decay in the next hundred years of grace, as they have done or are like to do in this, it is to be feared that sea coal will be good merchandise even in the city of London." Harrison's prophecy was fulfilled in a very few years; for about 1615, there were two hundred sail employed in carrying coal to London. See Anderson, vol. i. p. 494.]

41

[NOTE OO, p. 373. Life of Burleigh, published by Collins, f—44. The author hints that this quantity of plate was considered only as small in a man of Burleigh's rank. His words are, "His plate was not above fourteen or fifteen thousand pounds." That he means pounds weight is evident. For, by Burleigh's will, which is annexed to his life, that nobleman gives away in legacies, to friends and relations, near four thousand pounds weight, which would have been above twelve thousand pounds sterling in value. The remainder he orders to be divided into two equal portions; the half to his eldest son and heir; the other half to be divided equally among his second son and three daughters. Were we therefore to understand the whole value of his plate to be only 14 or 16,000 pounds sterling, he left not the tenth of it to the heir of his family.]

42

[NOTE PP, p. 373. Harrison says, "The greatest part of our building in the cities and good towns of England consisteth only of timber, cast over with thick clay to keep out the wind. Certes, this rude kind of building made the Spaniards in Queen Mary's days to wonder; but chiefly when they saw that large diet was used in many of these so homely cottages, insomuch that one of no small reputation amongst them said after this manner: These English, quoth he, have their houses made of sticks and dirt, but they fare commonly so well as the king. Whereby it appeareth, that he liked better of our good fare in such coarse cabins, than of their own thin diet in their princely habitations and palaces. The clay with which our houses are commonly empanelled, is either white, red, or blue." Book ii. chap. 12. The author adds, that the new houses of the nobility are commonly of brick or stone, and that glass windows were beginning to be used in England.]

43

[NOTE QQ, p. 375. The following are the words of Roger Ascham, the queen's preceptor: "It is your shame, (I speak to you all, young gentlemen of England,) that one maid should go beyond ye all in excellency of learning and knowledge of divers tongues. Point out six of the best given gentlemen of this court, and all they together show not so much good will, spend not so much time, bestow not so many hours daily, orderly, and constantly, for the increase of learning and knowledge, as doth the queen's majesty herself. Yea, I believe that besides her perfect readiness in Latin, Italian, French, and Spanish, she readeth here now at Windsor more Greek every day, than some prebendary of this church doth Latin in a whole week. Amongst all the benefits which God had blessed me withal, next the knowledge of Christ's true religion, I count this the greatest, that it pleased God to call me to be one poor minister in setting forward these excellent gifts of learning," etc. (page 242.) "Truly," says Harrison, "it is a rare thing with us now to hear of a courtier which hath but his own language; and to say how many gentlewomen and ladies there are that, besides sound knowledge of the Greek and Latin tongues, are thereto no less skilful in the Spanish, Italian, and French, or in some one of them, it resteth not in me, sith I am persuaded, that as the noblemen and gentlemen do surmount in this behalf, so these come little or nothing at all behind them for their parts; which industry God continue. The stranger, that entereth in the court of England upon the sudden, shall rather imagine himself to come into some public school of the university, where many give ear to one that readeth unto them, than into a prince's palace, if you confer thus with those of other nations." Description of Britain, book ii. chap. 15. By this account, the court had profited by the example of the queen. The sober way of life practised by the ladies of Elizabeth's court appears from the same author. Reading, spinning, and needlework occupied the elder; music the younger. Id. ibid.]

44

[NOTE RR, p. 391. Sir Charles Cornwallis, the king's ambassador at Madrid, when pressed by the duke of Lernia to enter into a league with Spain, said to that minister, "Though his majesty was an absolute king, and therefore not bound to give an account to any of his actions, yet that so gracious and regardful a prince he was of the love and contentment of his own subjects, as I assured myself he would not think it fit to do any thing of so great consequence without acquainting them with his intentions." Winwood, vol. ii. p. 222. Sir Walter Raleigh has this passage in the preface to his History of the World: "Philip II., by strong hand and main force, attempted to make himself not only an absolute monarch over the Netherlands, like unto the kings and monarchs of England and France, but, Turk like, to tread under his feet all their natural and fundamental laws, privileges, and ancient rights." We meet with this passage in Sir John Davis's Question concerning impositions, (p. 161:) "Thus we see, by this comparison, that the king of England doth lay but his little finger upon his subjects, when other princes and states do lay their heavy loins upon their people. What is the reason of this difference? from whence cometh it? assuredly not from a different power or prerogative; for the king of England is as absolute a monarch as any emperor or king in the world, and hath as many prerogatives incident to his crown." Coke, in Cawdry's case, says, "that by the ancient laws of this realm, England is an absolute empire and monarchy; and that the king is furnished with plenary and entire power, prerogative, and jurisdiction, and is supreme governor over all persons within this realm,'" Spencer, speaking of some grants of the English kings to the Irish corporations, says, "all which, though at the time of their first grant they were tolerable, and perhaps reasonable, yet now are most unreasonable and inconvenient. But all these will easily be cut off, with the superior power of her majesty's prerogative, against which her own grants are not to be pleaded or enforced." State of Ireland p. 1637, edit. 1706. The same author, in p. 1660, proposes a plan for the civilization of Ireland; that the queen should create a marshal in every county, who might ride about with eight or ten followers in search of stragglers and vagabonds:

the first time he catches any, he may punish them more lightly by the stocks; the second time, by whipping; but the third time, he may hang them, without trial or process, on the first bough: and he thinks that this authority may more safely be intrusted to the provost marshal than to the sheriff; because the latter magistrate, having a profit by the escheats of felons, may be tempted to hang innocent persons. Here a real absolute, or rather despotic power is pointed out; and we may infer from all these passages, either that the word absolute bore a different sense from what it does at present, or that men's ideas of the English, as well as Irish government, were then different. This latter inference seems juster. The word, being derived from the French, bore always the same sense as in that language. An absolute monarchy, in Charles I,'s answer to the nineteen propositions is opposed to a limited; and the king of England is acknowledged not to be absolute: so much had matters changed even before the civil war. In Sir John Fortescue's treatise of absolute and limited monarchy, a book written in the reign of Edward IV., the word absolute is taken in the same sense as at present; and the government of England is also said not to be absolute. They were the princes of the house of Tudor chiefly who introduced that administration which had the appearance of absolute government. The princes before them were restrained by the barons; as those after them by the house of commons. The people had, properly speaking, little liberty in either of these ancient governments, but least in the more ancient.]

45

[NOTE SS, p. 392. Even this parliament, which showed so much spirit and good sense in the affair of Goodwin, made a strange concession to the crown in their fourth session. Toby Mathews, a member, had been banished by order of the council, upon direction from his majesty. The parliament not only acquiesced in this arbitrary proceeding, but issued writs for a new election: such novices were they as yet in the principles of liberty. See Journ. 14th Feb. 1609. Mathews was banished by the king on account of his change of religion to Popery. The king had an indulgence to those who had been educated Catholics; but could not bear the new converts. It was probably the animosity of the commons against the Papists which made them acquiesce in this precedent, without reflecting on the consequences. The jealousy of liberty, though roused, was not yet thoroughly enlightened.]

46

[NOTE TT, p. 394. At that time, men of genius and of enlarged minds had adopted the principles of liberty, which were as yet pretty much unknown to the generality of the people. Sir Matthew Hales has published a remonstrance against the king's conduct towards the parliament during this session. The remonstrance is drawn with great force of reasoning and spirit of liberty; and was the production of Sir Francis Bacon and Sir Edwin Sandys, two men of the greatest parts and knowledge in England. It is drawn in the name of the commons; but as there is no hint of it in the journals, we must conclude, either that the authors, sensible that the strain of the piece was much beyond the principles of the age, had not ventured to present it to the house, or that it had been for that reason rejected. The dignity and authority of the commons are strongly insisted upon in this remonstrance; and it is there said, that their submission to the ill treatment which they received during the latter part of Elizabeth's reign, had proceeded from their tenderness towards her age and her sex. But the authors are mistaken in these facts: for the house received and submitted to as bad treatment in the beginning and middle of that reign. The government was equally arbitrary in Mary's reign, in Edward's, in Henry VIII. and VII.'s. And the further we go back into history, though there might be more of a certain irregular kind of liberty among the barons, the commons were still of less authority.]

47

[NOTE UU, p. 398. This parliament passed an act of recognition of the king's title in the most

ample terms. They recognized and acknowledged, that immediately upon the dissolution and decease of Elizabeth, late queen of England, the imperial crown thereof did, by inherent birthright and lawful and undoubted succession, descend and come to his most excellent majesty, as being lineally, justly, and lawfully next and sole heir of the blood royal of this realm. I James I. cap. 1. The Puritans, though then prevalent, did not think proper to dispute this great constitutional point. In the recognition of Queen Elizabeth, the parliament declares, that the queen's highness is, and in very deed and of most mere right ought to be, by the laws of God and by the laws and statutes of this realm, our most lawful and rightful sovereign, liege lady, and queen, etc. It appears, then, that if King James's divine right be not mentioned by parliament, the omission came merely from chance, and because that phrase did not occur to the compiler of the recognition; his title being plainly the same with that of his predecessor, who was allowed to have a divine right.]

50

[NOTE XX, p. 405. Some historians have imagined, that the king had secret intelligence of the conspiracy, and that the letter to Monteagle was written by his direction, in order to obtain the praise of penetration in discovering the plot. But the known facts refute this supposition. That letter, being commonly talked of, might naturally have given an alarm to the conspirators, and made them contrive their escape. The visit of the lord chamberlain ought to have had the same effect. In short, it appears that nobody was arrested or inquired after for some days, till Fawkes discovered the names of the conspirators. We may infer, however, from a letter in Winwood's Memorials, (vol. ii p. 171,) that Salisbury's sagacity led the king in his conjectures, and that the minister, like an artful courtier, gave his master the praise of the whole discovery.

51

[NOTE YY, p. 417. We find the king's answer in Winwood's Memorials, vol. iii. r. 198, 2d edit. "To the third and fourth, (namely, that it might be lawful to arrest the king's servants without leave, and that no man should be enforced to lend money, nor to give a reason why he would not,) his majesty sent us an answer, that because we brought precedents of antiquity to strengthen those demands, he allowed not of any precedents drawn from the time of usurping or decaying princes, or people too bold and wanton; that he desired not to govern in that commonwealth where subjects should be assured of all things, and hope for nothing. It was one thing 'submittere principatum legibus,' and another thing 'submittere principatum subditis.' That he would not leave to posterity such a mark of weakness upon his reign; and therefore his conclusion was, 'non placet petitio, non placet exemplum.:' yet with this mitigation, that in matters of loans he would refuse no reasonable excuse, nor should my lord chamberlain deny the arresting of any of his majesty's servants, if just cause was shown." The parliament, however, acknowledged at this time with thankfulness to the king, that he allowed disputes and inquiries about his prerogative much beyond what had been indulged by any of his predecessors. Parliament. Hist. vol. v. p. 230. This very session he expressly gave them leave to produce all their grievances, without exception.]

52

[NOTE ZZ, p. 420. It may not be unworthy of observation, that James, in a book called The true Laws of free Monarchies, which he published a little before his accession to the crown of England, affirmed, "That a good king, although he be above the law, will subject and frame his actions thereto, for example's sake to his subjects, and of his own free will, but not as subject or bound thereto." In another passage, "According to the fundamental law already alleged, we daily see, that in the parliament, (which is nothing else but the head court of the king and his vassals,) the laws are but craved by his subjects, and only made by him at their rogation, and with their advice. For albeit the king make daily statutes and ordinances, enjoining such pains thereto as he thinks meet, without any advice of parliament or estates, yet it lies in the power

of no parliament to make any kind of law or statute, without his sceptre be to it, for giving it the force of a law." King James's Works, p. 202. It is not to be supposed that, at such a critical juncture, James had so little sense as directly, in so material a point, to have openly shocked what were the universal established principles of that age: on the contrary, we are told by historians, that nothing tended more to facilitate his accession, than the good opinion entertained of him by the English on account of his learned, and judicious writings. The question, however, with regard to the royal power, was at this time become a very dangerous point; and without employing ambiguous, insignificant terms, which determined nothing, it was impossible to please both king and parliament. Dr. Cowell, who had magnified the prerogative in words too intelligible, fell this session under the indignation of the commons. Parliament. Hist vol. v. p. 221. The king himself after all his magnificent boasts, was obliged to make his escape through a distinction which he framed between a king in abstracto and a king in concreto: an abstract king, he said, had all power; but a concrete king was bound to observe the laws of the country which he governed. King James's Works, p. 533. But how bound? by conscience only? or might his subjects resist him, and defend their privileges? This he thought not fit to explain. And so difficult is it to explain that point, that to this day, whatever liberties may be used by private inquirers, the laws have very prudently thought proper to maintain a total silence with regard to it.]

53

[NOTE AAA, p. 434. Parliament. Hist. vol. v. p. 290. So little fixed at this time were the rules of parliament, that the commons complained to the peers of a speech made in the upper house by the bishop of Lincoln; which it belonged only to that house to censure, and which the other could not regularly be supposed to be acquainted with. These at least are the rules established since the parliament became a real seat of power and scene of business: neither the king must take notice of what passes in either house, nor either house of what passes in the other, till regularly informed of it. The commons, in their famous protestation 1621, fixed this rule with regard to the king, though at present they would not bind themselves by it. But as liberty was yet new, those maxims which guard and regulate it were unknown and unpractised.]

54

[NOTE BBB, p. 452. Some of the facts in this narrative, which seem to condemn Raleigh, are taken from the king's declaration, which, being published by authority when the facts were recent, being extracted from examinations before the privy council, and subscribed by six privy councillors, among whom was Abbot, archbishop of Canterbury, a prelate nowise complaisant to the court, must be allowed to have great weight, or rather to be of undoubted credit. Yet the most material facts are confirmed either by the nature and reason of the thing, or by Sir Walter's own apology and his letters. The king's declaration is in the Harleian Miscellany, vol. iii. No. 2.

1. There seems to be an improbability that the Spaniards, who knew nothing of Raleigh's pretended mine, should have built a town, in so wide a coast, within three miles of it. The chances are extremely against such a supposition; and it is more natural to think that the view of plundering the town led him thither, than that of working a mine. 2. No such mine is there found to this day. 3. Raleigh in fact found no mine, and in fact he plundered and burned a Spanish town. Is it not more probable, therefore, that the latter was his intention? How can the secrets of his breast be rendered so visible as to counterpoise certain facts? 4. He confesses, in his letter to Lord Carew, that though he knew it, yet he concealed from the king the settlement of the Spaniards on that coast. Does not this fact alone render him sufficiently criminal? 5. His commission empowers him only to settle on a coast possessed by savage and barbarous inhabitants. Was it not the most evident breach of orders to disembark on a coast possessed by

Spaniards? 6. His orders to Keymis, when he sent him up the river, are contained in his own apology; and from them it appears that he knew (what was unavoidable) that the Spaniards would resist, and would oppose the English landing and taking possession of the country. His intentions, therefore, were hostile from the beginning. 7. Without provocation, and even when at a distance, he gave Keymis orders to dislodge the Spaniards from their own town. Could any enterprise be more hostile? And, considering the Spaniards as allies to the nation, could any enterprise be more criminal? Was he not the aggressor, even though it should be true that the Spaniards fired upon his men at landing? It is said he killed three or four hundred of them. Is that so light a matter? 8. In his letter to the king, and in his apology, he grounds his defence on former hostilities exercised by the Spaniards against other companies of Englishmen. These are accounted for by the ambiguity of the treaty between the nations. And it is plain, that though these might possibly be reasons for the king's declaring war against that nation, they could never entitle Raleigh to declare war, and, without any commission, or contrary to his commission, to invade the Spanish settlements. He pretends indeed that peace was never made with Spain in the Indies; a most absurd notion! The chief hurt which the Spaniards could receive from England was in the Indies; and they never would have made peace at all, if hostilities had been still to be continued on these settlements. By secret agreement, the English were still allowed to support the Dutch, even after the treaty of peace. If they had also been allowed to invade the Spanish settlements, the treaty had been a full peace to England, while the Spaniards were still exposed to the full effects of war. 9. If the claim to the property of that country, as first discoverers, was good, in opposition to present settlement, as Raleigh pretends, why was it not laid before the king, with all its circumstances, and submitted to his judgment? 10. Raleigh's force is acknowledged by himself to have been insufficient to support him in the possession of St. Thomas, against the power of which Spain was master on that coast; yet it was sufficient as he owns, to take by surprise and plunder twenty towns. It was not therefore his design to settle, but to plunder. By these confessions, which I have here brought together, he plainly betrays himself. 11. Why did he not stay and work his mine, as at first he projected? He apprehended that the Spaniards would be upon him with a greater force. But before he left England, he knew that this must be the case, if he invaded any part of the Spanish colonies. His intention therefore never was to settle, but only to plunder. 12. He acknowledges that he knew neither the depth nor riches of the mine, but only that there was some ore there. Would he have ventured all his fortune and credit on so precarious a foundation? 13. Would the other adventurers, if made acquainted with this, have risked every thing to attend him? Ought a fleet to have been equipped for an experiment? Was there not plainly an imposture in the management of this affair? 14. He says to Keymis, in his orders, "Bring but a basket full of ore, and it will satisfy the king that my project was not imaginary." This was easily done from the Spanish mines, and he seems to have been chiefly displeased at Keymis for not attempting it. Such a view was a premeditated apology to cover his cheat. 15. The king in his declaration imputes it to Raleigh, that as soon as he was at sea, he immediately fell into such uncertain and doubtful talk of his* mine, and said that it would be sufficient if he brought home a basket full of ore. From the circumstance last mentioned, it appears that this imputation was not without reason. 16. There are many other circumstances of great weight in the king's declaration: that Raleigh, when he fell down to Plymouth, took no pioneers with him, which he always declared to be his intention; that he was nowise provided with instruments for working a mine, but had a sufficient stock of warlike stores; that young Raleigh, in attacking the Spaniards, employed the words, which, in the narration, I have put in his mouth; that the mine was movable, and shifted as he saw convenient; not to mention many other public facts, which prove him to have been highly criminal against his companions as well as his country. Howel, in his letters, says, that there lived in London, in 1645, an officer, a man of honor, who asserted

that he heard young Raleigh speak these words, (vol. ii. letter 63.) That was a time when there was no interest in maintaining such a fact. 17. Raleigh's account of his first voyage to Guiana proves him to have been a man capable of the most extravagant credulity or most impudent imposture. So ridiculous are the stories which he tells of the Inca's chimerical empire in the midst of Guiana; the rich city of El Dorado, or Manao, two days' journey in length, and shining with gold and silver; the old Peruvian prophecies in favor of the English, who, he says, were expressly named as the deliverers of that country, long before any European had ever touched there; the Amazons, or republic of women; and in general, the vast and incredible riches which he saw on that continent, where nobody has yet found any treasures. This whole narrative is a proof that he was extremely defective either in solid understanding, or morals, or both. No man's character indeed seems ever to have been carried to such extremes as Raleigh's, by the opposite passions of envy and pity. In the former part of his life, when he was active and lived in the world, and was probably best known, he was the object of universal hatred and detestation throughout England; in the latter part, when shut up in prison, he became, much more unreasonably, the object of great love and admiration.

As to the circumstances of the narrative, that Raleigh's pardon was refused him, that his former sentence was purposely kept in force against him, and that he went out under these express conditions, they may be supported by the following authorities: 1. The king's word, and that of six privy counsellors, who affirm it for fact. 2. The nature of the thing. If no suspicion had been entertained of his intentions, a pardon would never have been refused to a man to whom authority was intrusted. 3. The words of the commission itself where he is simply styled Sir Walter Raleigh, and not faithful and not beloved, according to the usual and never-failing style on such occasions. 4. In all the letters which he wrote home to Sir Ralph Winwood and to his own wife, he always considers himself as a person unpardoned and liable to the law. He seems, indeed, immediately upon the failure of his enterprise, to have become desperate, and so have expected the fate which he met with.

It is pretended, that the king gave intelligence to the Spaniards of Raleigh's project; as if he had needed to lay a plot for destroying a man whose life had been fourteen years, and still was, in his power. The Spaniards wanted no other intelligence to be on their guard, than the known and public fact of Raleigh's armament. And there was no reason why the king should conceal from them the project of a settlement which Raleigh pretended, and the king believed, to be entirely innocent.

The king's chief blame seems to have lain in his negligence, in allowing Raleigh to depart without a more exact scrutiny: but for this he apologizes by saying, that sureties were required for the good behavior of Raleigh and all his associates in the enterprise, but that they gave in bonds for each other: a cheat which was not perceived till they had sailed, and which increased the suspicion of bad intentions.

Perhaps the king ought also to have granted Raleigh a pardon for his old treason, and to have tried him anew for his new offences. His punishment in that case would not only have been just, but conducted in a just and unexceptionable manner. But we are told, that a ridiculous opinion at that time prevailed in the nation, (and it is plainly supposed by Sir Walter in his apology,) that, by treaty, war was allowed with the Spaniards in the Indies, though peace was made in Europe: and while that notion took place, no jury would have found Raleigh guilty. So that had not the king punished him upon the old sentence, the Spaniards would have had a just cause of complaint against the king, sufficient to have produced a war, at least to have destroyed all cordiality between the nations.

This explication I thought necessary in order to clear up the story of Raleigh; which, though very obvious, is generally mistaken in so gross a manner, that I scarcely know its parallel in the English history.]

55

[NOTE CCC, p. 458 This parliament is remarkable for being the epoch in which were first regularly formed, though without acquiring these denominations, the parties of court and country; parties which have ever since continued, and which, while they often threaten the total dissolution of the government, are the real causes of its permanent life and vigor. In the ancient feudal constitution, of which the English partook with other European nations, there was a mixture, not of authority and liberty, which we have since enjoyed in this island, and which now subsist uniformly together; but of authority and anarchy, which perpetually shocked with each other, and which took place alternately, according as circumstances were more or less favorable to either of them. A parliament composed of barbarians, summoned from their fields and forests, uninstructed by study, conversation, or travel; ignorant of their own laws and history, and unacquainted with the situation of all foreign nations; a parliament called precariously by the king, and dissolved at his pleasure; sitting a few days, debating a few points prepared for them, and whose members were impatient to return to their own castles, where alone they were great, and to the chase, which was their favorite amusement: such a parliament was very little fitted to enter into a discussion of all the questions of government, and to share, in a regular manner, the legal administration. The name, the authority of the king alone appeared, in the common course of government; in extraordinary emergencies, he assumed, with still better reason, the sole direction; the imperfect and unformed laws left in every thing a latitude of interpretation; and when the ends pursued by the monarch were in general agreeable to his subjects, little scruple or jealousy was entertained with regard to the regularity of the means. During the reign of an able, fortunate, or popular prince, no member of either house, much less of the lower, durst think of entering into a formed party in opposition to the court; since the dissolution of the parliament must in a few days leave him unprotected to the vengeance of his sovereign, and to those stretches of prerogative which were then so easily made in order to punish an obnoxious subject. During an unpopular and weak reign, the current commonly ran so strong against the monarch, that none durst enlist themselves in the court party; or if the prince was able to engage any considerable barons on his side, the question was decided with arms in the field, not by debates or arguments in a senate or assembly. And upon the whole, the chief circumstance which, during ancient times, retained the prince in any legal form of administration, was, that the sword, by the nature of the feudal tenures, remained still in the hands of his subjects; and this irregular and dangerous check had much more influence than the regular and methodical limits of the laws and constitution. As the nation could not be compelled, it was necessary that every public measure of consequence, particularly that of levying new taxes, should seem to be adopted by common consent and approbation.

The princes of the house of Tudor, partly by the vigor of their administration, partly by the concurrence of favorable circumstances, had been able to establish a more regular system of government; but they drew the constitution so near to despotism, as diminished extremely the authority of the parliament. The senate became in a great degree the organ of royal will and pleasure: opposition would have been regarded as a species of rebellion: and even religion, the most dangerous article in which innovations could be introduced, had admitted, in the course of a few years, four several alterations, from the authority alone of the sovereign. The parliament was not then the road to honor and preferment: the talents of popular intrigue and

eloquence were uncultivated and unknown: and though that assembly still preserved authority, and retained the privilege of making laws and bestowing public money, the members acquired not upon that account, either with prince or people, much more weight and consideration. What powers were necessary for conducting the machine of government, the king was accustomed of himself to assume. His own revenues supplied him with money sufficient for his ordinary expenses. And when extraordinary emergencies occurred, the prince needed not to solicit votes in parliament, either for making laws or imposing taxes, both of which were now became requisite for public interest and preservation.

The security of individuals, so necessary to the liberty of popular councils, was totally unknown in that age. And as no despotic princes, scarcely even the Eastern tyrants, rule entirely without the concurrence of some assemblies, which supply both advice and authority, little but a mercenary force seems then to have been wanting towards the establishment of a simple monarchy in England. The militia, though more favorable to regal authority than the feudal institutions, was much inferior in this respect to disciplined armies; and if it did not preserve liberty to the people, it preserved at least the power, if ever the inclination should arise, of recovering it.

But so low at that time ran the inclination towards liberty, that Elizabeth, the last of that arbitrary line, herself no less arbitrary, was yet the most renowned and most popular of all the sovereigns that had filled the throne of England. It was natural for James to take the government as he found it, and to pursue her measures, which he heard so much applauded; nor did his penetration extend so far as to discover, that neither his circumstances nor his character could support so extensive an authority. His narrow revenues and little frugality began now to render him dependent on his people, even in the ordinary course of administration: their increasing knowledge discovered to them that advantage which they had obtained; and made them sensible of the inestimable value of civil liberty. And as he possessed too little dignity to command respect, and too much good nature to impress fear, a new spirit discovered itself every day in the parliament; and a party, watchful of a free constitution, was regularly formed in the house of commons.

But notwithstanding these advantages acquired to liberty, so extensive was royal authority, and so firmly established in all its parts, that it is probable the patriots of that age would have despaired of ever resisting it, had they not been stimulated by religious motives, which inspire a courage unsurmountable by any human obstacle.

The same alliance which has ever prevailed between kingly power and ecclesiastical authority, was now fully established in England; and while the prince assisted the clergy in suppressing schismatics and innovators, the clergy, in return, inculcated the doctrine of an unreserved submission and obedience to the civil magistrate. The genius of the church of England, so kindly to monarchy, forwarded the confederacy; its submission to episcopal jurisdiction; its attachment to ceremonies, to order, and to a decent pomp and splendor of worship; and, in a word, its affinity to the tame superstition of the Catholics, rather than to the wild fanaticism of the Puritans.

On the other hand, opposition to the church, and the persecutions under which they labored, were sufficient to throw the Puritans into the country party, and to beget political principles little favorable to the high pretensions of the sovereign. The spirit too of enthusiasm; bold, daring, and uncontrolled; strongly disposed their minds to adopt republican tenets; and inclined them to arrogate, in their actions and conduct, the same liberty which they assumed in

their rapturous flights and ecstasies. Ever since the first origin of that sect, through the whole reign of Elizabeth as well as of James, Puritanical principles had been understood in a double sense, and expressed the opinions favorable both to political and to ecclesiastical liberty. And as the court, in order to discredit all parliamentary opposition, affixed the denomination of Puritans to its antagonists, the religious Puritans willingly adopted this idea, which was so advantageous to them, and which confounded their cause with that of the patriots or country party. Thus were the civil and ecclesiastical factions regularly formed; and the humor of the nation, during that age, running strongly towards fanatical extravagancies, the spirit of civil liberty gradually revived from its lethargy, and by means of its religious associate, from which it reaped more advantage than honor, it secretly enlarged its dominion over the greater part of the kingdom.

This note was in the first editions a part of the text; but the author omitted it, in order to avoid as much as possible the style of dissertation in the body of his History. The passage, however, contains views so important, that he thought it might be admitted as a footnote]

56

[NOTE DDD, p. 465. This protestation is so remarkable, that it may not be improper to give it in its own words. "The commons now assembled in parliament, being justly occasioned thereunto, concerning sundry liberties, franchises, and privileges of parliament, amongst others here mentioned, do make this protestation following: That the liberties, franchises, and jurisdictions of parliament are the ancient and undoubted birthright and inheritance of the subjects of England; and that the urgent and arduous affairs concerning the king, state, and defence of the realm and of the church of England, and the maintenance and making of laws, and redress of mischiefs and grievances which daily happen within this realm, are proper subjects and matter of counsel and debate in parliament; and that, in the handling and proceeding of those businesses, every member of the house of parliament hath, and of right ought to have, freedom of speech to propound, treat, reason, and bring to conclusion the same; and that the commons in parliament have like liberty and freedom to treat of these matters, in such order as in their judgment shall seem fittest; and that every member of the said house hath like freedom from all impeachment, imprisonment, and molestation, (other than by censure of the house itself,) for or concerning any speaking, reasoning, or declaring of any matter or matters touching the parliament or parliament business. And that if any of the said members be complained of or questioned for any thing done or said in parliament, the same is to be shown to the king by the advice and assent of all the commons assembled in parliament, before the king give credence to any private information." Franklyn, p. 65. Rush, vol. i p. 53. Kennet, p. 747. Coke, p. 77.]

57

[NOTE EEE, p. 434. The moment the prince embarked at St. Andero's, he said to those about him, that it was folly in the Spaniards to use him so ill, and allow him to depart: a proof that the duke had made him believe they were insincere in the affair of the marriage and the Palatinate; for as to his reception in other respects, it had been altogether unexceptionable. Besides, had not the prince believed the Spaniards to be insincere, he had no reason to quarrel with them, though Bucking-* *ham had. It appears, therefore, that Charles himself must have been deceived. The multiplied delays of the dispensation, though they arose from accident, afforded Buckingham a plausible pretext for charging the Spaniards with insincerity.]

58

[NOTE FFF, p. 486. Among other particulars, he mentions a sum of eighty thousand pounds borrowed from the king of Denmark. In a former speech to the parliament, he told them that he had expended five hundred thousand pounds in the cause of the palatine, besides the

voluntary contributions given him by the people. See Franklyn, p. 50. But what is more extraordinary, the treasurer, in order to show his own good services, boasts to the parliament, that by his contrivance sixty thousand pounds had been saved in the article of exchange in the sums remitted to the palatine. This seems a great sum; nor is it easy to conceive whence the king could procure such vast sums as would require a sum so considerable to be paid in exchange. From the whole, however, it appears, that the king had been far from neglecting the interests of his daughter and son-in-law, and had even gone far beyond what his narrow revenue could afford.]

59

[NOTE GGG, p. 486. How little this principle had prevailed during any former period of the English government, particularly during the last reign, which was certainly not so perfect a model of liberty as most writers would represent it, will easily appear from many passages in the history of that reign. But the ideas of men were much changed during about twenty years of a gentle and peaceful administration. The commons, though James of himself had recalled all patents of monopolies, were not contented without a law against them, and a declaratory law too; which was gaining a great point, and establishing principles very favorable to liberty: but they were extremely grateful when Elizabeth, upon petition, (after having once refused their requests,) recalled a few of the most oppressive patents, and employed some soothing expressions towards them.

The parliament had surely reason, when they confessed, in the seventh of James, that he allowed them more freedom of debate than ever was indulged by any of his predecessors. His indulgence in this particular, joined to his easy temper, was probably one cause of the great power assumed by the commons. Monsieur de la Boderie, in his despatches, (vol. i. p. 449,) mentions the liberty of speech in the house of commons as a new practice.]

60

[NOTE HHH, p. 491. Rymer, tom. xviii. p. 224. It is certain that the young prince of Wales, afterwards Charles II., had Protestant governors from his early infancy; first the earl of Newcastle, then the marquis of Hertford. The king, in his memorial to foreign churches after the commencement of the civil wars, insists on his care in educating his children in the Protestant religion, as a proof that he was nowise inclined to the Catholic, Rush. vol. v. p. 752. It can scarcely, therefore, be questioned, but this article, which has so odd an appearance, was inserted only to amuse the pope, and was never intended by either party to be executed.]

61

[NOTE III, p. 499. "Monarchies," according to Sir Walter Raleigh, "are of two sorts touching their power or authority, viz. 1. Entire, where the whole power of ordering all state matters, both in peace and war, doth by law and custom appertain to the prince, as in the English kingdom; where the prince hath the power to make laws, league, and war, to create magistrates, to pardon life, of appeal, etc. Though to give a contentment to the other degrees, they have a suffrage in making laws, yet ever subject to the prince's pleasure and negative will. 2. Limited or restrained, that hath no full power in all the points and matters of state, as the military king that hath not the sovereignty in time of peace, as the making of laws, etc., but in war only, as the Polonian king." Maxims of State.

And a little after: "In every just state, some part of the government is, or ought to be, imparted to the people, as in a kingdom, a voice and suffrage in making laws; and sometimes also of levying of arms, (if the charge be great, and the prince forced to borrow help of his subjects,) the matter rightly may be propounded to a parliament, that the tax may seem to have proceeded from themselves. So consultations and some proceedings in judicial matters may in

part be referred to them. The reason, lest, seeing themselves to be in no number nor of reckoning, they mislike the state or government." This way of reasoning differs little from that of King James, who considered the privileges of the parliament as matters of grace and indulgence, more than of inheritance. It is remarkable that Raleigh was thought to lean towards the Puritanical party, notwithstanding these positions. But ideas of government change much in different times.

Raleigh's sentiments on this head are still more openly expressed in his Prerogatives of Parliaments, a work not published till after his death. It is a dialogue between a courtier, or counsellor, and a country justice of peace, who represents the patriot party, and defends the highest notion of liberty which the principles of that age would bear. Here is a passage of it: "Counsellor. That which is done by the king, with the advice of his private or privy council, is done by the king's absolute power. Justice. And by whose power is it done in parliament but by the king's absolute power? Mistake it not, my lord: the three estates do but advise as the privy council doth; which advice if the king embrace, it becomes the king's own act in the one, and the king's law in the other," etc.

The earl of Clare, in a private letter to his son-in-law, Sir Thomas Wentworth, afterwards earl of Strafford, thus expresses himself "We live under a prerogative government, where book law submits to lex loquens." He spoke from his own and all his ancestors experience. There was no single instance of power which a king of England might not at that time exert, on pretence of necessity or expediency: the continuance alone, or frequent repetition of arbitrary administration, might prove dangerous, for want of force to support it. It is remarkable, that this letter of the earl of Clare was written in the first year of Charles's reign; and consequently must be meant of the general genius of the government, not the spirit or temper of the monarch. See Strafford's Letters, vol. i. p. 32. From another letter in the same collection, (vol. i. p. 10,) it appears that the council sometimes assumed the power of forbidding persons disagreeable to the court to stand in the elections. This authority they could exert in some instances; but we are not thence to inter, that they could shut the door of that house to every one who was not acceptable to them. The genius of the ancient government reposed more trust in the king, than to entertain any such suspicion; and it allowed scattered instances of such a kind, as would have been totally destructive of the constitution, had they been continued without interruption.

I have not met with any English writer in that age who speaks of England as a limited monarchy, but as an absolute one, where the people have many privileges. That is no contradiction. In all European monarchies the people have privileges; but whether dependent or independent on the will of the monarch, is a question that in most governments it is better to forbear. Surely that question was not determined before the age of James. The rising spirit of the parliament, together with that king's love of general, speculative principles, brought it from its obscurity, and made it be commonly canvassed. The strongest testimony that I remember from a writer of James's age in favor of English liberty, is in Cardinal Bentivoglio, a foreigner, who mentions the English government as similar to that of the Low Country provinces under their princes, rather than to that of France or Spain. Englishmen were not so sensible that their prince was limited, because they were sensible that no individual had any security against a stretch of prerogative: but foreigners, by comparison, could perceive that these stretches were at that time, from custom or other causes, less frequent in England than in other monarchies. Philip de Comines, too, remarked the English constitution to be more popular in his time than that of France. But in a paper written by a patriot in 1627, it is remarked, that the freedom of speech in parliament

had been lost in England since the days of Comines. Franklyn, p. 238. Here is a stanza of Malherbe's Ode to Mary de Medicis, the queen regent, written in 1614.

Entre les rois à qui cet age Doit son principal ornement, Ceux de la Tamise et du Tage Font louer leur gouvernement: Mais en de si calmes provinces, Où le peuple adore les princes, Et met au gré le plus haut L'honneur du sceptre légitime, Sauroit-on excuser le crime De ne regner pas comme il faut.

The English, as well as the Spaniards, are here pointed out as much more obedient subjects than the French, and much more tractable and submissive to their princes. Though this passage be taken from a poet, every man of judgment will allow its authority to be decisive. The character of a national government cannot be unknown in Europe; though it changes sometimes very suddenly. Machiavel, in his Dissertations on Livy, says repeatedly, that France was the most legal and most popular monarchy then in Europe.]

62

[NOTE KKK, p. 499. Passive obedience is expressly and zealously inculcated in the homilies composed and published by authority in the reign of Queen Elizabeth. The convocation, which met in the very first year of the king's reign, voted as high monarchical principles as are contained in the decrees of the University of Oxford during the rule of the Tories. These principles, so far from being deemed a novelty introduced by James's influence, passed so smoothly, that no historian has taken notice of them: they were never the subject of controversy, or dispute, or discourse; and it is only by means of Bishop Overall's Convocation Book, printed near seventy years after, that we are acquainted with them. Would James, who was so cautious, and even timid, have ventured to begin his reign with a bold stroke, which would have given just ground of jealousy to his subjects? It appears from that monarch's Basilicon Doron, written while he was in Scotland, that the republican ideas of the origin of power from the people, were at that time esteemed Puritanical novelties. The patriarchal scheme, it is remarkable, is inculcated in those votes of the convocation preserved by Overall; nor was Filmer the first inventor of those absurd notions.]

63

[NOTE LLL, p. 514. That of the honest historian Stowe seems not to have been of this number. "The great blessings of God," says he, "through increase of wealth in the common subjects of this land, especially upon the citizens of London; such within men's memory, and chiefly within these few years of peace, that, except there were now due mention of some sort made thereof, it would in time to come be held incredible," etc. In another place, "Amongst the manifold tokens and signs of the infinite blessings of Almighty God bestowed upon this kingdom, by the wondrous and merciful establishing of peace within ourselves, and the full benefit of concord with all Christian nations and others; of all which graces let no man dare to presume he can speak too much; whereof in truth there can never be enough said, neither was there ever any people less considerate and less thankful than at this time, being not willing to endure the memory of their present happiness, as well as in the universal increase of commerce and traffic throughout the kingdom, great building of royal ships and by private merchants, the repeopling of cities, towns, and villages, beside the discernible and sudden increase of fair and costly buildings, as well within the city of London as the suburbs thereof, especially within these twelve years," etc.]